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UNITED STATES

MILITARY RESERVATIONS, NATIONAL CEMETERIES, AND MILITARY PARKS.

TITLE, JURISDICTION ETC.

PREPARED IN THE OFFICE OF THE JUDGE-ADVOCATE-GENERAL
UNITED STATES ARMY.

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REVISED EDITION

BY

LEWIS W. CALL, Chief Clerk.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1907.

UB393
A4
1907

WAR DEPARTMENT,

Document No. 288.

OFFICE OF THE JUDGE-ADVOCATE-GENERAL.

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UNITED STATES MILITARY RESERVATIONS, NATIONAL CEMETERIES, AND MILITARY PARKS.

NOTE.—For authorities upon the subjects of "Eminent Domain," "Jurisdiction," "Taxation," and "Title," see Appendix.
Unimportant licenses and short term leases have in many cases been omitted.

ALABAMA.

GENERAL ACT OF SESSION.

"SECTION 1. *Be it enacted, etc.*, That the United States be, and they are hereby authorized and empowered to purchase, acquire, hold, own, occupy, and possess such land or lands, within the limits of this State, as they shall adjudge it expedient, and shall seek to occupy and hold as sites on which to erect and maintain Forts, Magazines, Arsenals, dockyards, and other needful buildings, or any of them, as contemplated and provided in the United States; said purchase to be effected either by contract with the owner or owners of said land, or lands, or in the manner hereinafter provided."

(Sec. 2 provides for acquiring title by condemnation.)

"SEC. 3. *Be it further enacted*, That whenever the United States shall contract for, purchase or acquire any land or lands, within the limits of this State, for the purposes aforesaid, in either of the modes above mentioned and provided, and shall desire to acquire constitutional jurisdiction over said land or lands for said purposes, it shall and may be lawful for the Governor of this State, upon application made to him in writing, on behalf of the United States, for that purpose, accompanied by the proper evidence of such purchase, contract, or acquisition of record, describing the land or lands sought to be ceded by convenient metes and bounds, and the said Governor shall be, and he is hereby authorized and empowered, thereupon, in the name and on behalf of this State, to cede to the United States exclusive jurisdiction over the land or lands so purchased or acquired, and sought to be ceded, the United States to hold, use, occupy, own, possess and exercise said jurisdiction over the same for the purposes aforesaid, and none other whatsoever: *Provided always*, That the consent aforesaid is hereby given, and cession aforesaid is to be granted and made as aforesaid, upon the express condition, that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands to be ceded and every portion thereof, so far that all civil and such criminal process as may issue under the authority of this State, against any person or persons charged with crimes committed without the boundaries of said land or lands so

ceded, may be executed therein in the same way and manner as though this cession and consent had not been made and granted: Saving, however, to the United States, security to their property within the said limits and extent, and exemption of the same, and of said land or lands, from any tax under the authority of this State, whilst the same shall continue to be owned, held, used, and occupied, by the United States for the purposes above expressed and intended, and not otherwise."

(Approved January 28, 1848.)

In this connection see also an act of the State Legislature, approved December 1, 1837, which provides as follows:

"That the jurisdiction of this State, within and over all Forts and Arsenals that may be established and erected by the United States within the limits of this State, shall be, and the same is hereby, ceded to the United States, so far as the walls or permanent enclosures of the same shall extend and no further."

See also Code of Alabama, 1896, Vol. 1, Sec. 626–629.

FORT GAINES.

This reservation contains about 983.9 acres, and is situated on the eastern end of Dauphin Island, in Mobile County.

It was acquired by condemnation under final decree of the Court of Chancery for the First District of the Southern Chancery Division of the State of Alabama, made January 20, 1853.

Jurisdiction was acquired under the General Act, and deed of the Governor, dated November 25, 1853, as contemplated by section 3 of said Act.

MOBILE BAY.

(Islands in)

This reservation comprises two islands between the north point of Dauphin Island and Cedar Point, at the confluence of Mobile Bay and Mississippi Sound, declared and set apart by Executive Order, dated February 9, 1842.

For jurisdiction, see General Act of Cession.

MOBILE NATIONAL CEMETERY.

This reservation, acquired for cemetery purposes, contains in all 116,736 square feet of ground, and is situated in the City of Mobile. Title was acquired as follows:

1. Deed from the City of Mobile to the United States, dated May 31, 1866, conveying squares numbered 20 and 24, in what is known as the "New Graveyard" or "Magnolia Cemetery;" area of ground conveyed, 110,976 square feet. Deed recorded in Deed Book No. 27, N. S., pp. 148–149, of the Probate Records of Mobile County.

2. Deed from the City of Mobile to the United States, dated July 30, 1894, conveying a strip of ground south of and adjoining the first-described tract, containing an area of 5,760 square feet. Deed recorded in Deed Vol. 73, pp. 326–327, of the Probate Records of Mobile County.

Jurisdiction as to first-described tract was ceded by an Act of the General Assembly of Alabama, as follows:

"*Be it enacted, etc.*, That the State does hereby cede to the United States all right and title which this State now has to the enclosure within the limits of Magnolia Cemetery, in the City of Mobile, which is now occupied as a National Military Cemetery, and does further cede jurisdiction over said enclosure; *Provided, however*, That all civil and criminal process issued from any Court of this State under authority of law may run and be executed within the bounds of said National Military Cemetery at Mobile, the same in all respects as if this act had never been passed."

Approved March 6, 1875.

FORT MORGAN.

This reservation contains about 493.92 acres, and is situated on Mobile Point, Baldwin County, on the eastern side of entrance to Mobile Bay, 33 miles from Mobile.

1. Title to the original reservation was acquired as follows: Included in the cession by Spain under treaty of 1819, part of Western Florida. Reserved by Executive order for military purposes February 13, 1844, being part of the public domain.

2. Under decree of the district court of the United States for the southern district of Alabama, rendered June 13, 1905 (copy of decree and of the certificate of payment of the award, recorded in record book No. 9 N S, pages 562–567, probate records of Baldwin County) and deed from the Navy Cove Harbor and Railroad Company, dated June 13, 1905 (recorded in record book No. 10 N S, page 275), the United States acquired two tracts of land, aggregating 171.5 acres, adjoining the reservation on the East. See G. O. No. 16, W. D., January 22, 1906.

Jurisdiction over this reservation was ceded to the United States by an act of the State Legislature, approved February 18, 1891 (Acts of Alabama, 1891, p. 1293), which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That pursuant to Article One, Section Eight, Paragraph Seventeen of the Constitution of the United States, consent to purchase is hereby given, and exclusive jurisdiction ceded, to the United States, over and with respect to all Lands now, or which may hereafter be, embraced in the military Posts and Reservations of Mount Vernon Barracks, in Mobile County, and Fort Morgan, in Baldwin County, so long as the United States shall occupy the same for public purposes, reserving, however, to the State, a concurrent jurisdiction for the execution within said lands of all process, civil or criminal, lawfully issued by the Courts of the State and not incompatible with this cession."

See also General Act of Cession.

Revocable Licenses: License June 14, 1888, to the Mobile and Gulf Telegraph Company to occupy two rooms in the quarters at Fort Morgan.

License, January 20, 1899, to The Tow Boat Company to locate and maintain a telegraph office on the reservation.

PERDIDO BAY.

(West side of entrance to)

This reservation, situated west of Pensacola, Fla., contains 298.8 acres. A part of the public domain ceded by Spain, it was set apart and declared for military purposes by Executive Order, dated February 9, 1842.

For jurisdiction, see General Act of Cession.

TOWER ISLAND.

This reservation is an island in the Gulf of Mexico off the coast of Alabama; the deed of cession to which includes all the contiguous shores, flats and waters within 1,000 yards from low water mark.

Title to and jurisdiction over this island were ceded by an act of the General Assembly, approved December 9, 1859, as follows:

"SECTION 1. *Be it enacted, etc.*, That for the purpose of enabling the United States to carry into effect an act of Congress of March 3rd, 1857, providing for fortifications for the defence of the inner passes into Mobile Bay (known as Grant's Pass and Pass du Heron) by building and making such forts, magazines, arsenals, dock-yards, wharves, and other structures, with their appendages, as may be necessary for the object aforesaid, jurisdiction is hereby ceded to the United States over the said 'Tower Island,' to include all the contiguous shores, flats, and waters within one thousand yards from low water mark, and all the right, title and claim which this State may have in or to the said 'Tower Island' are hereby granted to the United States; *Provided, however*, the jurisdiction ceded by this act shall not prevent the execution on such ceded premises of process, civil or criminal, under the authority of this State, nor prevent the laws of this State from operating over said island, shores, flats, and waters, saving to the United States security to their property within the limits of the jurisdiction ceded and exemption of the same, and of such land and property from taxation under the authority of this State during the jurisdiction ceded by this act."

See also General Act of Cession.

ALASKA.

By Executive Order of May 24, 1905 (G. O. 83, W. D., June 5, 1905), a strip of land 100 feet wide (50 feet on either side of center of telegraph line), along the United States military telegraph lines from Valdez to Fort Egbert, from Fort Egbert to boundary, from Northfork to Fort Gibbon, from Baker to Rampart, from Fort Gibbon to St. Michael, and from Safety Harbor to Fort Davis, with an aggregate length of 1,400 miles, was reserved, subject to private rights, for a right of way for the operation and maintenance, by the Signal Corps, U. S. Army, of the United States military telegraph lines in Alaska.

By the same order lands were reserved for telegraph offices, storehouses and stables, wood and pole reserves, with metes and bounds as described therein, at the following points: Central, Chestochena, Copper Center, Gakona, Ketchumstock, Mentasta, Northfork, Saina, Summit, Teikheil, Tonsina, and Workmans.

AMAKNAK ISLAND.

This reservation embraces the whole island, situated in Dutch Harbor, except the tract of land reserved for light-house purposes by Executive Order, dated January 13, 1899, and the tract embraced in amended survey 58 of the North American Commercial Company. It is part of the original purchase from the Russian Government in 1867, and was set apart and declared for public purposes by Executive Order, dated April 2, 1901.

Under date of July 9, 1901, the Secretary of War approved the occupancy by the Interior Department, of a triangular parcel of land between the light-house tract and the tract of the North American Commercial Company, for school purposes. Such occupancy, however, being subject to the condition that should, at any time in the future, the military situation demand it, the premises be vacated by the Department of the Interior.

FORT DAVIS.

This reservation is situated at the mouth of the Nome River, about 3½ miles from Nome. The title is as follows: By purchase from the Russian Government in 1867, and set apart by Executive order dated December 8, 1900.

Revocable Licenses: License, February 27, 1902, to W. H. Rowe to construct, operate, and maintain a telephone line along the beach or shore line of the reservation.

License, July 21, 1902, to Chas. G. Horsfall et al. to maintain one end of the Nome River Bridge upon the reservation.

License, dated December 27, 1905, to the Seward Cooperative Telephone Company, to construct, operate, and maintain a telephone line.

DYEA.

This reservation, in the vicinity of Dyea, contains 1,280 acres, and is situated north of the dock of the Dyea Klondike Transportation Company. The title is as follows: By purchase from the Russian Government in 1867, and set apart for military purposes by Executive Order, dated December 31, 1898.

FORT EGBERT.

This reservation is situated at the mouth of Mission Creek at a point known as "Eagle City." The title is as follows: By purchase from the Russian Government in 1867 and set apart for military purposes by Executive Order, dated June 13, 1899. It was enlarged by Executive Order, dated March 31, 1900; reduced by Executive Orders, dated July 23, 1900, and January 25, 1904; and further modified by Executive Order of March 3, 1906 (G. O. 54, W. D., March 16, 1906), by including additional public lands and excluding a portion of the reservation found to be useless for military purposes—the latter being placed under control of the Secretary of the Interior under act of July 5, 1884 (1 Sup. R. S., 453).

Revocable Licenses: License, December 14, 1899, by Commanding Officer, District of North Alaska, to superintendent of Catholic Mis-

sion to occupy for church and mission purposes the following lots in Eagle: Lot 5 of block 6; western half of lot 4 of block 6; lots 7 and 10 of block 6; lots 8, 9, 10 and 11 of block 11. License approved by Secretary of War, February 12, 1900.

License, December 14, 1899, by Commanding Officer, District of North Alaska, to superintendent of Presbyterian Mission to occupy for church and mission purposes the following lots in Eagle: All lots comprised in block 18. License approved by Secretary of War, February 12, 1900.

License, April 23, 1900, to Emile Quarré to occupy and reside upon lots 5 and 6 of block 7, Chamberlain's survey of Eagle.

License, April 23, 1900, to Emile Quarré, to occupy, for the purpose of trading and commerce, lots 11, 12 and 13, block 1, and lot 1, block 8, Chamberlain's survey of Eagle.

License, May 11, 1900, to Agent, North American Transportation and Trading Company to occupy for mercántile purposes: Lots 2, 12, 13, 14, 15, 16, and a portion of lot 17, in block 8, Chamberlain's survey of Eagle; also a piece of ground of about 4 lots lying in the "upper town-site," above the eddy in the Yukon River, which is improved with fence and cabin, and is intended for an out-of-town warehouse.

License, March 27, 1901, to members of the Post Exchange, to erect a building for Post Exchange use.

FAIRBANKS.

Site for telegraph office and quarters for a Signal Corps detachment, donated to the United States by the town of Fairbanks. Deed, dated August 23, 1904, from Tillie McChesney to the United States, conveying 25 feet front by 50 feet in depth, facing Cushman street, immediately adjoining the south corner of fifty feet in width by fifty feet in depth owned by Sargant and Pinska, being a part of lot 1, block 1 east, between Third and Fourth avenues, of the town of Fairbanks, Alaska. Recorded in volume 2 of Deeds, page 189, Recorder's Office, Fairbanks recording district, Alaska, on August 23, 1904.

FORT GIBBON.

This reservation is located at the point where the Tanana River joins the Yukon. A part of the public lands acquired by purchase from the Russian Government in 1867, it was set apart for military purposes by Executive Order, dated July 10, 1899.

This reservation was modified by Executive Order of July 19, 1905 (G. O., 129, W. D., August 3, 1905), by adding thereto a strip of land along the eastern boundary, approximately 100 yards in width, together with the island know as "Bull Island," and by excluding therefrom other lands as described in said order. The excluded lands were by the same order transferred to the Secretary of the Interior for disposition under the act of July 5, 1884 (1 Sup. R. S., 453), or as may be otherwise provided by law.

JAPONSKI ISLAND.

This reservation embraces the whole island situated directly opposite the town of Sitka. It was reserved by Executive Order, dated June 21, 1890, for military and naval purposes.

KEYSTONE.

By Executive Order of December 7, 1905 (G. O. 208, W. D., December 22, 1905), a tract of about 640 acres at this place was reserved for the purposes of a military telegraph.

FORT LISCUM.

This reservation, originally containing 1,600 acres, is located on the shore line, at Port Valdez. A part of the public domain acquired by purchase from the Russian Government in 1867, it was set apart for military purposes by Executive Order, dated July 18, 1900. By Executive Order, dated December 31, 1903, the area of the reservation was reduced to 659.89 acres.

Revocable License: License, September 26, 1902, to Louis L. Williams to construct and use a wagon road across the reservation.

FORT LISCUM TARGET RANGE.

By Executive Order of October 26, 1906 (G. O., No. 186, W. D., November 12, 1906), a tract of about 1,700 acres, lying on the glacial flats of Valdez Glacier, and the mountain side to the west and situated north of the town of Valdez, was reserved, subject to private rights, and set part as a target range for the use of the troops of Fort Liscum.

OLD WOMAN.

By Executive Order of September 21, 1905 (G. O. 161, W. D., September 30, 1905), a tract of about 24.34 acres at this place was reserved, subject to private rights, for the use of the Signal Corps, U. S. Army, in the matter of the operation of military cable and telegraph lines in Alaska.

POINT SPENCER.

This reservation includes the northern end of Point Spencer. The title is as follows: Part of the original purchase from the Russian Government by the United States in 1867, and reserved for public purposes by Executive Order dated January 23, 1900.

Revocable License: License, July 12, 1901, to the Pacific Steam Whaling Company to occupy for wharf and warehouse purposes a portion of the sand spit at Point Spencer.

SAFETY HARBOR.

By Executive Order of September 21, 1905 (G. O. 161, W. D., September 30, 1905), a tract of about 14.776 acres at this place was reserved, subject to private rights, for the use of the Signal Corps, U. S. Army, in the matter of the operation of military cable and telegraph lines in Alaska.

FORT ST. MICHAEL.

This reservation formerly contained the land known as St. Michael Island, with all contiguous lands and islands within 100 miles of the flagstaff of the garrison on that island, October 20, 1897. The title is as follows: A part of the public domain ceded by Russia to the United States in 1867, it was declared a military reservation by Executive Order, dated October 20, 1897. By Executive Order, dated October 27, 1900, all lands in the limits of Fort St. Michael, except those embraced within the Island of St. Michael, and all other lands or islands lying within a radius of 10 miles of the flagstaff of the post of St. Michael, were placed under the control of the Secretary of the Interior for disposition, under act of Congress, July 5, 1884.

Revocable licenses have been granted to many individuals and corporations to reside and conduct business enterprises on the reservation.

Under Executive Order of June 8, 1906 (G. O. No. 114, War Department, June 20, 1906), the reservation will be relinquished November 1, 1907, except the tracts therein described as reserved for (1) "Post of Fort St. Michael;" (2) "Quartermaster's depot and shipyard;" (3) "Wireless telegraph station;" (4) "Target range (for collective fire);" and rights of way connecting the post reservation with the reservations for wireless telegraph station and for target range.

SEWARD.

By Executive order of July 3, 1905 (G. O. 116, W. D., July 19, 1905), certain lands at this place were reserved for military purposes, subject to private rights, for the use of the Signal Corps, U. S. Army, in the operation and maintenance of United States military telegraph lines in Alaska.

FORT WILLIAM H. SEWARD.

This reservation is situated at Haines in the vicinity of Dyea. It originally contained 1,280 acres, and was acquired by purchase from the Russian Government in 1867. It was set apart for military purposes by Executive order dated December 31, 1898, and increased by Executive order dated November 21, 1902.

By Executive order of November 27, 1905 (G. O. 204, W. D., December 6, 1905), certain public land at Chilkat Inlet was reserved for the purposes of water supply for Fort William H. Seward. The lands so reserved are described in said order.

Revocable License: License, September 13, 1904, to A. R. Young to erect a building upon the reservation and to conduct therein a laundry.

SIGNAL SUPPLY STATION.

This reservation is situated in the town of Valdez, and, as declared by Executive order dated March 10, 1903, contained 24,012 square feet. By Executive order dated June 30, 1904, the original tract was reduced to 9,660 square feet, and an adjacent parcel of 13,286 square feet was added.

SITKA.

This reservation consists of two tracts reserved by Executive order dated June 21, 1890. The first is a small plot of ground to be used for the purposes of a marine or military barracks and garden, and the second a tract of about 10 acres, for a military and naval cemetery, subject to any rights which the Board of Home Missions had.

SKAGWAY.

This reservation contains 466.12 acres situated on Skagway River near Skagway. The title is as follows: Part of the public domain ceded by Russia to the United States in 1867, and declared a military reservation by Executive order dated May 21, 1903.

UNALAKLIK.

By Executive order of February 24, 1906 (G. O. 47, W. D., March 5, 1906), a tract of 6.26 acres at the mouth of Unalaklik River was set apart for the use of the Signal Corps, U. S. Army, in the matter of the operation of military cable and telegraph lines in Alaska.

ARIZONA.

FORT APACHE.

This reservation contains an area of 7,421.14 acres, and includes that portion of the White Mountain Indian Reservation situated in Townships 4 and 5 North, Range 23 East, Navajo County, restored to the public domain by Executive Order dated January 26, 1877, and declared a military reservation by Executive Order dated February 1, 1877.

Revocable License: License, September 28, 1899, to Charles Benson to establish a milk ranch on the reservation. Subsequently, with the approval of the Post Commander, Mr. Benson transferred his improvements to M. Jesus Valasquez.

FORT GRANT.

This reservation contains an area of 42,341 acres more or less and is situated in Townships 8, 9 and 10 South, Ranges 23 and 24 East, Graham County. Title is as follows: Public lands of the United States, reserved for military purposes by Executive Order of April 17, 1876.

By Executive Order, dated October 6, 1906 (G. O. No. 177, War Department, October 17, 1906), a considerable portion of this reservation was incorporated in the Mount Graham Forest Reserve to

be protected and administered as a forest reserve, but "subject to the unhampered use of the War Department for military purposes."

Revocable Licenses: License, September 27, 1904, to Mr. and Mrs. Sam Earls to occupy for residential and laundry purposes Building No. 41.

License, September 27, 1904, to Mrs. Susan Earls to occupy for residential and laundry purposes Building No. 41.

License, September 27, 1904, to Marlove S. Deputy to occupy as a residence and dentist's office the building on the reservation known as the old hotel building.

License, September 27, 1904, to Ching Kee to occupy for residential and laundry purposes a building erected by himself upon the reservation.

FORT HUACHUCA.

This reservation contains an area of 70 square miles and is situated in Townships 21, 22 and 23 South, Ranges 19 and 20 (extended), Cochise County. Title is as follows: Public lands of the United States reserved for military purposes by Executive Orders of October 29, 1881, and May 14, 1883.

Revocable Licenses: License, September 2, 1904, to Louis Ma Wing to conduct a restaurant business upon the reservation, heretofore conducted by him under permission of the post commander.

License, September 2, 1904, to Wing Sing to conduct a laundry business upon the reservation, heretofore conducted by him under permission of the post commander.

License, September 2, 1904, to Ma Yu to conduct a laundry business upon the reservation, heretofore conducted by him under permission of the post commander.

License, September 2, 1904, to O. Cozby to conduct a photographic business upon the reservation, heretofore conducted by him under permission of the post commander.

WHIPPLE BARRACKS.

This reservation contains an area of 1,730 acres, and is situated in Township 14 North, Range 2 West, 1 mile from Prescott, in Yavapai County.

Title is as follows: Public land of the United States, reserved by Executive Order dated August 31, 1869. (See G. O. 34, Dept. Arizona, November 23, 1875, relocating and giving boundaries of reservation).

Easements: Act of Congress, approved February 28, 1887, granted a right of way across the reservation to the Prescott and Arizona Central Railway Company.

Act of Congress approved February 18, 1893, granted a right of way across the reservation to the Santa Fé, Prescott and Phoenix Railway Company.

Revocable Licenses: License, June 15, 1895, to Private Richard L. Tea, retired, to construct, maintain, and use a one-room frame house on the reservation.

License, April 10, 1896, to the Western Union Telegraph Company to construct a line through the reservation adjacent to the right of way of the Santa Fé, Prescott and Phoenix Railroad.

License, May 17, 1898, to T. E. Fitzsimmons to dig dirt from a portion of the reservation for the purpose of making brick.

License, September 7, 1904, to Mrs. Teresa Greenwood, to occupy one-story frame house, and outbuildings.

License, June 26, 1905, to the Prescott and Mount Union Railway Company to construct and maintain a line of electric railway.

License, September 23, 1905, to Mr. Charles Bauer to occupy, improve, and maintain an existing dwelling house.

License, March 17, 1906, to the Prescott Electric Company, to maintain and operate its existing telephone line.

WHIPPLE BARRACKS TARGET RANGE.

This reservation contains approximately 1,680 acres and is situated in Yavapai County.

The title is as follows:

1. Set apart and declared for military purposes by Executive Order, dated August 18, 1904.

2. Quitclaim deed from the Santa Fé and Pacific Railway Company, dated April 29, 1904, conveying 760 acres.

3. About 40 acres were added to this reservation by deed dated December 8, 1904, from John H. Smith, bachelor, and from the city of Prescott; recorded in Book 66 of Deeds, pages 439–441, records of Yavapai County, Ariz.; conveying NW. ¼ of SW. ¼ of section 2, Township 14 N., Range 2 W., Gila and Salt River Meridian. (See G. O. 13, W. D., February 2, 1905.)

ARKANSAS.

ARMY AND NAVY GENERAL HOSPITAL.

This reservation contains 20 acres and is situated at Hot Springs. It was acquired by the Interior Department under acts of Congress of March 3, 1877 (19 Stat. L., 371), December 16, 1878 (20 id., 258), and June 16, 1880 (21 id., 289). By act of Congress of June 30, 1882 (22 id., 121), making an appropriation for an "Army and Navy Hospital at Hot Springs, Arkansas," it was provided that "such hospital shall be erected on the government reservation at or near Hot Springs, Arkansas."

FAYETTEVILLE NATIONAL CEMETERY.

This reservation contains an area of 6.63 acres, and is situated near Fayetteville, in Washington County. Title is as follows:

Tract A. Deed from David Walker, dated May 20, 1867, and recorded May 27, 1867, in Deed Record Q, page 268, of the records of deeds at Fayetteville, Washington County.

Tract B. Deed from Stephen K. Stone and wife, dated June 14, 1867, and recorded July 26, 1867, in Deed Record Q, page 341, of same records.

Tract C. Deed from David Walker, dated March 2, 1875, and recorded May 14, 1875, in Deed Record Y, page 413, of same records.

Tract D. Deed from Stephen K. Stone and wife, dated April 8, 1873, and recorded August 27, 1873, in Deed Record X, page 195, of

same records. Deed from Stephen K. Stone and wife, dated February 3, 1875 (rectifying mistake in deed of April 8, 1873), recorded March 16, 1875, in Deed Record Y, pages 315–316, of same records.

Jurisdiction was ceded over National Cemeteries by the following act of the State Legislature, approved February 21, 1867, as follows:

"An act concerning National Cemeteries: Whereas by a resolution of Congress approved April 13, 1866, the Secretary of War was authorized and required to take immediate measures to preserve from desecration the graves of the soldiers of the United States who fell in battle, or died of disease in the field, and in the hospital, during the war of the rebellion, and to secure suitable burial places in which they may be properly interred; *And Whereas*, The Secretary of War is about to purchase suitable grounds within the limits of this State for the establishment thereon of 'National Cemeteries,' within which are to be buried the bodies of those described in said resolution, *And Whereas*, It is provided in Paragraph 1059, United States Army Regulations as revised A. D. 1863, that previous to the expenditure of any money, in the purchase of any land within any State of the United States for the use of the General Government, the Legislature of the State within which such purchase shall be made, shall first cede all jurisdiction over such land.

"SECTION 1. *Be it therefore enacted, etc.*, That the jurisdiction of this State within and over all lands purchased by the United States, on which such National Cemeteries may be established within the limits of this State, shall be and the same is hereby ceded to the United States so far as the permanent inclosures of such 'National Cemeteries' may extend and no farther."

HOT SPRINGS RESERVATION.

See Army and Navy General Hospital.

LITTLE ROCK NATIONAL CEMETERY.

This reservation contains an area of 12.12 acres; is part of S. E. ¼ of Section 11, Township 1 North, Range 12 West, and is situated near Little Rock, in Pulaski County. Title is as follows:

1. Deed from the City of Little Rock, dated September 18, 1866, conveying 9.10 acres within the inclosure of Oakland Cemetery. Deed not recorded.

2. Deed from the City of Little Rock, dated April 9, 1868, and embraces the 9.10 acres above described as purchased September 18, 1866, together with 3.02 acres recently purchased, making a total of 12.12 acres. Recorded January 7, 1869, in Record Book No. 2, pages 302–306, of the deed records of Little Rock, Pulaski County.

Jurisdiction: See Fayetteville National Cemetery.

FORT LOGAN H. ROOTS.

This reservation contains, after deducting reserved tracts, an area of 1,070 acres, and is a part of Sections 20, 21, 28 and 29, Township 2 North, Range 12 West, in Pulaski County, near Little Rock.

Title is as follows: (The site was purchased under authority of an act of Congress entitled "An Act to establish a Military Post near

Little Rock, Arkansas," approved April 23, 1892). Deed from Board of Improvements for City Park, District of Little Rock, Ark., dated February 18, 1893; recorded March 18, 1893, in Record Deed Book 38, page 613, Deed Records of Pulaski County. The purchase and transfer accepted and approved under the Act of Congress (supra) by the Secretary of War, March 2, 1893.

The consent to the purchase of and jurisdiction over said lands was ceded to the United States, by an Act of the State Legislature, approved February 25, 1893, which provides as follows:

"SECTION 1. The consent of the State of Arkansas is hereby granted to the United States of America to purchase or acquire real property of not more than fifteen hundred acres in extent, in Pulaski County, in said State, for the purpose of a military post, fort, arsenal or reservation.

"SEC. 2. Exclusive jurisdiction over such military post, fort, arsenal or reservation, and the territory thereof, is hereby ceded and granted to the said United States to be exercised so long as the same shall remain the property of the said United States.

"SEC. 3. The State of Arkansas hereby releases and relinquishes her right to tax said site and all improvements thereon during the time the said United States shall be and remain the owner thereof; *Provided*, That this grant of jurisdiction shall not prevent the execution of any process of the State, civil or criminal, on any person who may be on said reservation or premises." (Acts of Arkansas, 1893, p. 52.)

The reservation was designated Fort Logan H. Roots by direction of the President April 27, 1897.

Easement.—A condition of the conveyance from the Board of Improvement reserved a right of way for a public highway and a railroad switch. Definite location of railroad switch approved by the Secretary of War, August 26, 1903.

Revocable licenses: License, October 29, 1896, to the Home Water Company to enter upon the reservation and lay a 6 inch water main.

License, September 20, 1905, to the Big Rock Stone and Construction Company to occupy a small strip of land adjoining its property on the reservation, and operate a stone crusher.

FORT SMITH NATIONAL CEMETERY.

This reservation contains an area of 15 acres, and is situated near Fort Smith in Sebastian County (formerly part of Crawford County).

Title is as follows: Deed from John Rogers and wife, dated June 17, 1838 (for 306 acres), and recorded in the office of the Clerk of the Circuit Court and Recorder of Crawford County, June 18, 1838. (Book and page not given.) Sebastian County having been organized to include this part of Crawford County since the date of said deeds, consult records of deeds of Sebastian County at Fort Smith also. The above lands ordered transferred to the Secretary of the Interior as a part of the public domain for disposition under the land laws. (See act of Congress approved February 24, 1871.) The 15 acres above described as the Fort Smith National Cemetery reserved from sale and restored to the custody of the War Department by Executive Order dated May 22, 1871.

For jurisdiction see Fayetteville National Cemetery.

CALIFORNIA.

GENERAL ACT OF CESSION.

"*The people, &c., do enact as follows:*

"SECTION 1. The State of California hereby cedes to the United States of America exclusive jurisdiction over all lands within this State now held, occupied, or reserved by the Government of the United States for military purposes or defence, or which may hereafter be ceded or conveyed to said United States for such purposes; *Provided*, That a sufficient description by metes and bounds and a map or plat of such lands be filed in the proper office of record in the county in which the same are situated; *And provided further*, That this State reserves the right to serve and execute on said lands all civil process, not incompatible with this cession, and such criminal process as may lawfully issue under the authority of this State against any person or persons charged with crimes committed without said lands." (Approved March 2, 1897. Cal. Stats., 1897, p. 51. See also Cal. Stats., 1891, p. 262, and Cal. Stats., 1897, p. 74.)

ALCATRAZ ISLAND.

This reservation, containing about 12 acres of land, is an island in San Francisco Bay, 4 miles Northeast of the City of San Francisco.

Title is as follows: Part of the Public Domain and reserved therefrom for military purposes by Executive Order dated November 6, 1850. Title to certain tide-water lands, etc., was ceded by State March 9, 1897. Jurisdiction was ceded by an act of the State legislature, approved March 2, 1897, for which see General Act of Cession.

FORTS BAKER AND BARRY.

By General Orders 194, W. D., December 27, 1904, Fort Baker was divided by "the true north and south line running through Point Diablo"—the eastern portion to retain the name of Fort Baker, and the western portion (known as Point Bonita) to be named Fort Barry, in honor of Brevet Maj. Gen. William F. Barry, U. S. Army, who died July 18, 1879.

These reservations contain 1,899.66 acres; and are situated on, and embrace, the North side of the "Golden Gate" or entrance to the Harbor of San Francisco, in Marin County.

Title is as follows: Deed from Samuel R. Throckmorton, dated July 24, 1866, and recorded July 24, 1866, in Liber F, pages 127–130, of the records of deeds of Marin County.

See also Act of the State Legislature approved March 9, 1897, as to lands below low tide, etc.

Jurisdiction: The State Legislature ceded jurisdiction over these reservations by act approved April 16, 1859, as follows:

"SECTION 1. Jurisdiction is hereby ceded to the United States over any such tract or tracts of land at or near Lime Point Bluff, on the northern side of the harbor of San Francisco, as may be acquired by the United States for the purpose of Military defence, and over all the contiguous shores, flats, and waters, within five hundred yards

from low-water mark; *Provided*, That this State shall retain a concurrent Jurisdiction with the United States, in and over the premises in question, so far as that all civil processes, not incompatible with the full constitutional authority of the United States, and criminal process as may lawfully issue under the authority of this State, against any person or persons charged with crimes committed without the premises aforesaid, may be executed therein, in the same way and manner as if Jurisdiction had not been ceded as aforesaid, except so far as such process may affect the real or personal property of the United States.

"SEC. 2. The premises over which Jurisdiction is ceded by this Act, and all structures and other property thereon, belonging to the United States, shall be exonerated and discharged from all taxes and assessments which may be laid or imposed under the authority of this State, while said premises shall remain the property of the United States, and shall be used for the purposes intended by this Act."

Exclusive jurisdiction was ceded by act of the State Legislature, approved March 2, 1897. See General Act of Cession.

Easement: By Act of Congress, approved July 2, 1894, the citizens of the town of Sausalito were granted the right to occupy and improve for the purposes of a roadway a certain portion of the reservation. The Secretary of War approved the plans and specifications and designated the location of the proposed work, October 9, 1894.

Revocable Licenses: License, October 6, 1877, to the Western Union Telegraph Company to land cable at Fort Point and Lime Point, and to erect land lines connecting with said cable on the Presidio and Lime Point reservations.

License, November 29, 1879, to Coast and Geodetic Survey to occupy site, containing 1 acre more or less, for tide-gauge-keeper's dwelling and garden.

License, June 30, 1884, (by Department Commander) to the Pacific Bell Telephone Company, subsequently called "The Sunset Telegraph and Telephone Company," to erect a line on the Presidio and Lime Point reservations, upon condition that said company furnish free of cost, one instrument each to the U. S. Engr. Office in San Francisco, the post at Fort Point, and the post at Lime Point.

License, March 5, 1903, to Treasury Department to use extreme southern part of Point Bonita for light-house establishment.

License, July 18, 1905, to the United States Life-Saving Service to dig a well and locate a shelter and engine, for the purpose of supplying the Point Bonita life-saving station with water.

BENICIA.

(Reservation of Post and Arsenal.)

That portion set apart for a Post or Barracks contains 98.78 acres, and the Arsenal portion 238 acres. Total, 336.78 acres. This reservation is situated on Suisun Bay and the Straits of Carquinez, in Solano County.

Title is as follows: The reservation for military purposes was declared by Executive Orders dated October 7 and 10, 1862. Title to certain tide-water lands, etc., was ceded by the State March 9, 1897.

An attempt was made to convey title to the United States by—

1. Deed from Robert Semple and wife and others, dated April 16, 1849, and recorded July 5, 1849, in Book C, pages 295–296, of Records by L. W. Boggs, Alcalde for Sonoma. Also recorded in Benicia, November 19, 1849, in Book A, pages 460–461, of the records of Solano County.

2. Deed from Mariano G. Vallejo (Deed of Release), dated December 27, 1854; not recorded.

3. Deed of Release from Thomas O. Larkin, dated December 30, 1854, and recorded January 24, 1855, in Book I, page 347, of the Deed Records of Solano County.

4. Deed of Release from Bethnel Phelps, dated January 20, 1855, and recorded January 20, 1855, in Book H, pages 340–341, of same records.

The above-named grantors having derived title by deed from General M. G. Vallejo, who claimed it under the so-called "Suscol" grant from Mexico, which grant was rejected by the Supreme Court of the United States, could pass no good or valid title to the United States. The fee simple was, therefore, in the United States by virtue of the treaty of Guadalupe Hidalgo, it having never parted with it.

Jurisdiction was made "exclusive" and certain by the Act of the State Legislature approved March 2, 1897.

See General Act of Cession.

Easement: By Act of Congress, approved May 24, 1876, a conditional right of way through the reservation, not exceeding 100 feet in width, was granted to the Northern Railway Company.

THE BROTHERS AND SISTERS AND MARIN ISLANDS.

The area of these islands is unknown. The description is as follows: "The Brothers" consist of two rocky islets, having a channel between them, situated near Point San Pablo. "The Sisters" consist of two small islands near Point San Pedro. "The Marin Islands" consist of two rocky islets, having a channel between them, and are situated west of "The Brothers" at the entrance to San Pablo Bay. All commanding the entrance to San Pablo Bay.

Title is as follows: Part of the Public Domain and reserved for military purposes by Executive Order, dated October 25, 1867.

See Act of State Legislature of March 9, 1897, for tide-water lands, etc., and for jurisdiction see General Act of Cession.

Revocable License: License, February 28, 1873, to Treasury Department to use the Brothers Island for light-house purposes.

CORONADO BEACH.

This reservation contains 40.63 acres, and is situated 1¾ miles southeast of Coronado Beach, on San Diego Peninsula or Island, a sand spit whose connection with the mainland is frequently breached during high tides.

The title is as follows:

Deed from the Coronado Beach Company, dated February 9, 1897, conveying 40.63 acres. Recorded in Book 262, page 145, of the records of San Diego County.

(See also Fort Pio Pico.)

For jurisdiction, see General Act of Cession.

DEAD MAN'S ISLAND.

Surveyed as Lot No. 1, Section 19, Township 5 South, Range 13 West, San Bernardino Meridian of California (Dead Man's Island).

Title is as follows: Part of Public Domain and reserved for military and other purposes by Executive Order dated March 15, 1872.

See also act of State Legislature, approved March 9, 1897, as to tide-water lands, etc., and for jurisdiction, see General Act of Cession.

LAGUNA MERCED.

This reservation contains 41.4 acres, and is situated in the city and county of San Francisco. The title is as follows:

Decree of condemnation for 41.4 acres, in the Circuit Court of the United States, for the Northern District of California, in cause No. 12,908, entitled the "United States *v.* The Spring Valley Water Works et al." Decree rendered May 29, 1901, and filed the same day in the Clerk's Office of said Court.

For jurisdiction, see General Act of Cession.

MARE ISLAND.

(Reservation No. 7 opposite.)

This reservation contains about 769 acres, and is that part of Military Reservation No. 7, opposite Mare Island, lying south of the section line running east and west between Sections 19 and 30, Township 3 North, Range 3 West, Solano County.

Title is as follows: Part of alleged "Suscol" grant. See "Benicia" for remarks on same. Part of Public Domain reserved for military purposes by Executive Order, dated November 6, 1850. Title to tide-water lands, etc., was ceded by act of State Legislature, approved March 9, 1897.

For jurisdiction, see General Act of Cession.

FORT MASON.

This reservation contains 55.5 acres, and is situated at Point San José or Black Point on south side of Bay of San Francisco, opposite Alcatraz Island, and is within the limits of the City of San Francisco.

Title is as follows: Part of Public Domain and reserved by Executive Order, dated November 6, 1850, modified as to present limits by Executive Order, December 31, 1851, and as further modified by Act of Congress, approved July 1, 1870. (See U. S. Stats. at Large, Vol. 16, Chap. 197, p. 186.) See also act of State Legislature, approved March 9, 1897, ceding title to tide-water lands, etc.

Jurisdiction was ceded by Act of State Legislature, approved March 2, 1897. See General Act of Cession.

FORT M'DOWELL

This reservation, containing about 640 acres, is situated on Angel Island in San Francisco Bay about 7 miles to the northeast of the

City of San Francisco. A part of the public domain, it was reserved for military purposes by Executive Orders, dated November 6, 1850, and April 20, 1860. The title to certain tide-water lands, etc., was ceded by the State March 9, 1897.

For jurisdiction, see General Act of Cession.

The Secretary of War, July 8, 1905, transferred to the Department of Commerce and Labor a parcel of land on Angel Island for the purposes of an immigration detention station.

Revocable Licenses: License, June 2, 1885, to the Treasury Department to use a portion of the reservation for a fog station and keeper's dwelling.

License, December 22, 1888, to Treasury Department in accordance with Act of August 1, 1888, to use a portion of the reservation known as Hospital Cove on Raccoon Straits, containing about 10 acres, as a quarantine station.

License, November 18, 1897, to Mrs. J. T. Perle to reside and keep cows and chickens upon the reservation.

License, September 13, 1904, to J. D. Givens to maintain and occupy for the conduct of a photographic business, the temporary building erected by him upon the reservation.

License, September 13, 1904, to The Joint Ticket Agency, Railroads of San Francisco, to conduct a railroad ticket office and express office upon the reservation.

FORT MILEY.

(Point Lobos.)

This reservation contains 54.05 acres, and is situated in the City and County of San Francisco, near the Golden Gate Cemetery.

Title is as follows: Decree and Order of condemnation for coast defenses and fortifications in the Circuit Court, Ninth Circuit, Northern District of California, dated January 23, 1893, in case of the United States *v.* The City and County of San Francisco, etc. Decree filed and recorded in the office of the County Recorder of the City and County of San Francisco, January 27, 1893, and recorded in Liber 1548 of Deeds, page 100.

A right of way for a sewer outlet was conveyed as follows: Deed from Emma L. Merritt and W. R. H. Adamson, Executors, to the United States, dated March 17, 1902, conveying a right of way. Recorded in Liber 1936, page 427, of the records of the City and County of San Francisco.

A right of way for new sewer between Fort Miley and the Pacific Ocean, at a point known as "Lands End," was conveyed by Emma L. Merritt, executrix, by deed dated December 1, 1905; recorded in Liber 2162, Deeds, page 187, of same records.

For Juridiction see General Act of Cession.

FORT PIO PICO.

(Zuninga Shoal Tract.)

By General Orders No. 20, W. D., January 25, 1906, the military reservation at North Coronado Beach Island was named Fort Pio Pico, in honor of *Pio Pico*, Governor of California under Mexican sovereignty.

This reservation contains 57.41 acres and is situated on the south west extremity of the Peninsula or Island of San Diego, a sand spit whose connection with the main land is frequently breached during high tides. (See also Coronado Beach.)

The title is as follows:

1. Decree of condemnation for 18.85 acres in cause 314, entitled "The United States *v.* The Coronado Beach Company et al." in the Circuit Court of the United States for the Southern District of California. Decree rendered June 22, 1892, and filed the same day in the Clerk's Office of said Court.

2. Deed from the Coronado Beach Company, dated April 15, 1893, conveying above tract. Recorded in Book 211, page 381, of the records of San Diego County.

(The above tract (18.85 acres) was originally acquired for river and harbor purposes.)

3. Deed from the Coronado Beach Company, dated June 11, 1901, conveying 38.56 acres and certain accretions to tract mentioned in No. 1, supra. Recorded in Book 312, page 187, of same records.

4. Quit claim Deed from same, June 11, 1901, for same tract. Recorded in Book 262, page 145, of same records.

For jurisdiction, see General Act of Cession.

MOLATE ISLAND.

(Red Rock.)

This island contains 7.52 acres, and is situated in the Bay of San Francisco, near its junction with the Bay of San Pablo, and is in Section 17, Township 1 North, Range 5 West, Mount Diablo Meridian.

The title is as follows: Reserved by Executive Order, dated October 21, 1882. See also act of State Legislature, approved March 9, 1897, as to tide-water lands, etc.

For jurisdiction, see General Act of Cession.

PRESIDIO OF MONTEREY.

This reservation contains 139.36 acres, and is situated within the city limits of Monterey, overlooking the bay, in Monterey County. The title is as follows:

Occupied as a military post by the Spanish Government as early as 1772. Mexico succeeded Spain, and by treaty with Mexico the United States succeeded to the title and took possession. Reserved also for military purposes by Executive Order, dated November 23, 1866.

For jurisdiction, see General Act of Cession.

Revocable Licenses: License (in form of agreement), June 14, 1889, to the Southern Pacific Railway Company to construct line of track across the reservation.

License, July 15, 1890, to Jane L. Stanford to erect a monument to Father Junipero Serra, Indian missionary, upon the reservation.

License, March 31, 1903, to the Monterey Gas and Electric Company to run its line of wires upon the reservation.

License, December 23, 1903, to the Pacific Improvement Company to lay and maintain a twelve-inch water main across the reservation.

License, March 15, 1904, to the Monterey and Pacific Grove Railway Company to construct, operate and maintain an electric street car line across the reservation.

License, May 5, 1904, to Mrs. King to occupy small house near the tracks of the S. P. R. R. Co.

License, November 1, 1904, to Coalinga Oil Transportation Company to lay and maintain a 6-inch pipe.

License, December 12, 1904, to Pacific Improvement Company to maintain its existing 16-inch pipe along and upon Pacific Street.

License, December 12, 1904, to Monterey and Pacific Grove Railway Company to maintain its existing electric street railway upon and along Pacific Street.

License, January 3, 1905, to city of Monterey, to maintain road known as Light-house avenue where same crosses southern extremity of reservation.

PRESIDIO OF SAN FRANCISCO.

This reservation contains 1,780 acres, and is situated in the northwest suburbs of San Francisco, on the southern margin of the harbor of San Francisco.

Title is as follows: Established as a military post by the Spanish; exact date unknown. Continued as a military post by Mexico, successor to Spain, and by Mexico ceded to the United States by treaty. Reserved for military purposes by Executive Order dated November 6, 1850, afterwards modified by Executive Order dated December 31, 1851. See also act of State Legislature, approved March 9, 1897, as to tide-water lands, etc.

"Exclusive" jurisdiction ceded by act of State Legislature, approved March 2, 1897, for which see General Act of Cession.

Revocable Licenses.—License, October 6, 1877, to the Western Union Telegraph Company to land submarine cable at Fort Point and connect same with necessary land lines.

License (in form of agreement), April 7, 1881, to the Presidio Railroad Company to extend its tracks upon the reservation.

License (from Department Commander), June 30, 1884, to the Pacific Bell Telephone Company to maintain a line across the reservation for the purpose of connecting with a submarine cable at Fort Point.

License, January 21, 1888, to the Treasury Department to use a portion of the reservation for life-saving purposes.

License, March 11, 1891, to the Treasury Department, to erect a tower at Fort Point and to permit surfmen in discharge of their duties to pass in and out and over the reservation.

License, June 3, 1892, to the Presidio and Ferries Railroad Company to construct, maintain and operate their line of cable railway on the reservation.

License (from Department Commander), June 15, 1892, to the Sunset Telephone and Telegraph Company (successors to Pacific Bell Telephone Company), to erect line of poles from the eastern end of the Presidio reservation to the wharf at Fort Point, there to connect with submarine cable.

License, July 22, 1895, to the Treasury Department to lay a water pipe on the reservation for the use of the Fort Point life-saving station.

License, June 19, 1900, to Mary Holt Rose to extend her cottage so as to project one and one-half feet over and beyond the wall of the reservation.

License, October 31, 1900, to the Western Union Telegraph Company to make changes in the location of its telegraph line on the reservation.

License, May 7, 1901, to Bruce Porter to extend his cottage so as to project about three feet over and beyond the wall of the reservation.

License, March 28, 1902, to Bernard Faymonville to extend his cottage so as to project about three feet over and beyond the wall of the reservation.

License, January 11, 1905, to H. S. Ballard, tide observer, Coast and Geodetic Survey, to build and occupy a small dwelling house.

License, November 16, 1905, to J. D. Givens, to maintain and occupy, for photographic business, the temporary building erected by him under permission of the department commander.

FORT ROSECRANS. (POINT LOMA AND BALLAST POINT.

This reservation, containing 940.3 acres, consists of that portion of the peninsula lying on the west side of the entrance to San Diego Harbor, included between the southernmost point of the peninsula (Point Loma) and a line drawn across said peninsula from the harbor to the ocean at the distance of 1½ miles above Punta de Guiranos.

Title is as follows: Passed under the treaty of Guadalupe Hidalgo, concluded February 2, 1848, to the United States. Reserved for military purposes by Executive Order dated February 26, 1852. See also act of the State Legislature approved March 9, 1897, as to tide-water lands, etc.

For jurisdiction, see General Act of Cession.

Revocable License.—License, May 14, 1889, to the Treasury Department to occupy a portion of the reservation for light-house purposes.

SAN DIEGO BARRACKS.

This reservation consists of blocks 18, 31 and 39, and one wharf lot 75 feet by 1,000 feet. Total area of reservation 315,000 square feet, situated in the city of San Diego.

Title is as follows:

1. Deed from William H. Davis and wife, dated September 12, 1850, for tracts known as letter K in Block 31, Lot No. 3 in Block 18, and Letters G, B and C in Block No. 39, recorded January 21, 1870, in Deed Record No. 8, page 146, of deed records of San Diego County. County.

2. Deed from George F. Hooper, William H. Davis and wife, dated September 12, 1850, for tracts known as Letter I in Block 31, and Letter L in Block 39, and recorded January 21, 1870, in Deed Record No. 8, page 148, of same records.

3. Deed from Thomas W. Sutherland, Guardian at litem for the heirs of Miguel de Pedrorena, dated September 12, 1850, for tracts known as Letter D, in Block 31, and Letters A and J, in Block 39, and recorded January 21, 1870, in Deed Record No. 8, page 144, of same records.

4. Deed from Andrew B. Gray, dated September 14, 1850, for tracts known as Letters A, F and L, in Block 31; Lots Nos. 2 and 6, in Block 18, and Letters D, E, F, H and K, in Block 39, and recorded January 21, 1870, in Deed Record No. 8, page 145, of same records.

5. Deed from Thomas D. Johns, dated September 12, 1850, for tracts known as Letters G, H and C, in Block 31, and recorded January 17, 1870, in Deed Record No. 8, page 145, of same records.

6. Deed from José A. Aquirre and wife, dated September 12, 1850, for tracts known as Letters E and J, in Block 31; Lot No. 1, in Block 18, and Letter I, in Block 39, and recorded January 21, 1870, in Deed Record No. 8, page 147, of same records.

7. Deed from Andrew B. Gray, dated September 12, 1850, for tracts known as Letters A, F and L, in Block 31; Lots 2 and 6, in Block 18, and Letters D, E, F, H and K, in Block 39, and recorded September 17, 1850, in Deed Book O, page 251, of same records.

8. Deed from José A. Aquirre and wife, William H. Davis and wife, Andrew B. Gray, Thomas D. Johns, George F. Hooper, Maria A. de Pedrorena, Victoria de Pedrorena, Miguel de Pedrorena, Ysabel de Pedrorena, and Eleva de Pedrorena, minor heirs of Miguel de Pedrorena, deceased, by Thomas W. Sutherland, their guardian ad litem, dated September 12, 1850, for tracts known as Lots numbered 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, in Block 18, and Letter B, in Block 31. Recorded January 21, 1870, in Deed Record No. 8, page 143, of same records.

See also act of State Legislature approved March 9, 1897, as to tidewater lands, etc., so far as it affects wharf property herein.

For jurisdiction see General Act of Cession.

SAN FRANCISCO NATIONAL CEMETERY.

This reservation contains 9.5 acres. Formerly part of the military reservation of the Presidio of San Francisco, and includes the Post Cemetery. Set apart December 12, 1884, by order of the Secretary of War, as a cemetery of the fourth class, to be known and designated as the San Francisco National Cemetery.

For title, see Presidio of San Francisco; and for jurisdiction, see General Act of Cession.

SAN PEDRO.

This reservation contains about 44.25 acres and is situated on San Pedro Bay, in Los Angeles County, being part of Section 19, Township 5 South, Range 13 West, and part of Section 24, Township 5 South, Range 14 West of San Bernardino Meridian.

Title is as follows: Ceded to the United States by Mexico under the treaty of Guadalupe Hidalgo, concluded February 2, 1848. Reserved for military purposes by Executive Order dated September 14, 1888. See also act of the State Legislature approved March 9, 1897, as to tide-water lands, etc.

For jurisdiction see General Act of Cession.

Revocable license Feby. 24, 1905, to City of San Pedro to construct and maintain a sewer.

FORT WINFIELD SCOTT.

(Originally part of Presidio Reservation.)

A military post, area unknown, situated on the south side of the Golden Gate (entrance to Bay of San Francisco).

Title is as follows: As a part of the public domain it was reserved for military purposes by Executive Order dated November 6, 1850, and modified December 31, 1851. See also act of the State Legislature, approved March 9, 1897, as to tide-water lands, etc.

For jurisdiction, see General Act of Cession.

Revocable Licenses.—License, February 28, 1878, to the Treasury Department to erect a steam fog signal upon the reservation.

License, September 26, 1883, to the Treasury Department to erect two small buildings for the keepers of the light at Fort Point.

License, January 21, 1888, to the Treasury Department to occupy a portion of the reservation for a life-saving station.

License, April 1, 1895, to the Treasury Department to occupy a portion of the reservation for the purpose of constructing a catch-water area.

YERBA BUENA ISLAND (OR GOAT ISLAND).

This reservation formerly contained about 141 acres and is situated about 2½ miles northeast of the City of San Francisco, in the Bay of San Francisco.

By Executive Order, dated April 12, 1898, as modified by Executive Order, dated January 28, 1899, all of the above reservation except 8.9 acres was transferred to the Navy Department.

Title is as follows: Reserved by Executive Order of Nov. 6, 1850, "for public purposes" and excepted from the grant to the City of San Francisco by act of Congress approved July 1, 1864, and under the provisions of said act reserved for military purposes by Executive Order dated October 12, 1866. See also Executive Order dated November 6, 1850. Deed from Frank M. Pixley to the United States, dated August 27, 1869, and recorded September 7, 1869, in Office of County Recorder of the City and County of San Francisco, in Liber 524 of Deeds, page 14. See also act of the State Legislature approved March 9, 1897, as to tide-water lands, etc.

For jurisdiction see General Act of Cession.

COLORADO.

FORT LOGAN.

This reservation contains an area of 640 acres, and was purchased in accordance with the provisions of an Act of Congress approved February 17, 1887. It is situated in Arapahoe County, being the S. ½ and NW. ¼ and S. ½ of NE. ¼ of Section 6, and W. ½ of SW. ¼ of Section 5, Township 5 South, Range 68 West of the Sixth Principal

Meridian. The title is by deed from Charles B. Kountze, Trustee, to the United States, for all the above-described tracts. Deed dated June 14, 1887, and recorded October 11, 1887, in Deed Book 343, page 415, of the deed records of Arapahoe County. The SW. ¼ of SW. ¼, Section 5, Township 5 South, Range 68 West, etc., also reserved for military purposes by Executive Order dated September 26, 1887.

Consent of the State to the purchase by the United States was given by act of the State Legislature approved February 1, 1881, as follows:

"That the consent of the State is hereby given to the purchase by the United States, * * * also to the purchase by the United States of such other lands within this State as its authorities may from time to time select for the erection of forts, magazines, arsenals, and other needful buildings."

The Governor of the State, by deed dated June 14, 1887, conveyed full, complete, and exclusive jurisdiction over this reservation in accordance with the terms of an act of the State Legislature approved March 22, 1887. The act provides as follows:

"SECTION 1. Whenever any officer or officers of the United States, thereunto duly authorized, shall designate or select a tract of six hundred and forty acres of land at or near the city of Denver, in the State of Colorado, as and for the site of a military post, and the title thereto shall have been conveyed and confirmed to the United States of America by the owner or owners thereof, the Governor of this State shall make, execute, and deliver to the United States of America a deed, sealed with the great seal of the State of Colorado, and attested by the Secretary of State, containing apt, meet, and proper words, clauses, and covenants, to fully cede, give, grant, transfer, confer and confirm exclusive jurisdiction for all purposes whatsoever over such tract of land, and all and every part thereof, unto the United States of America; but, nevertheless, therein reserving to this State jurisdiction to serve the civil process of State, county and municipal courts and tribunals within said tract of land; to serve and execute therein processes in criminal cases by State, county and municipal officers in respect to offenses, misdemeanors, crimes and felonious acts committed outside of said tract, and at, from and after the making, executing, ensealing, attesting and delivery of such deed, exclusive jurisdiction shall vest in and remain in the United States of America, for and during all the time the United States shall remain the owner of said tract, subject only to the State jurisdiction for the service of execution and process reserved to this State over said tract of land so ceded, granted, transferred, confirmed and conferred unto the United States of America for and during the time the United States shall remain owner thereof.

"SEC. 2. That at, from and after the delivery of such deed of cession, the said site and tract of land, and the erections, structures, buildings, fixtures, goods, chattels and property at any time thereon or thereto belonging, or in anywise appertaining and belonging to the United States, shall be and remain released and exempt from all tollages, taxes and assessments, of every name and nature, for and during the time the United States shall remain the owner thereof." (Session Laws of Colo., 1887, p. 339.)

Easement.—The Colorado Southern Railroad Company maintains a right of way across the north 80 acres of the reservation, which

right of way existed prior to the establishment of the post and subject to which the reservation was acquired.

Revocable Licenses: License, September 2, 1904, to the Denver and Rio Grande Railroad Company to maintain its spur track upon the reservation, which track was constructed under oral authority from the Secretary of War during the construction of the post.

License, March 13, 1906, to The Colorado Telephone Company for telephone line.

FORT LOGAN TARGET RANGE.

This reservation comprises the east half of section 20 and all of section 29, T. 6 S., R. 66 W. of Sixth Principal Meridian, Douglas County, Colorado; containing an area of about 960 acres; announced in G. O. 211, W. D., December 30, 1905. The title is as follows:

1. Deed from Mrs. Nellie Cheesewright, dated May 31, 1905, conveying the northeast quarter of said section 20; recorded in Book 32, page 213, Deed Records of said county.

2. Deed from William H. Lithgow and wife, dated May 24, 1905, conveying the southeast quarter of said section 20; recorded in Book 32, page 214, of same records.

3. Deed from the Denver Sugar, Land and Irrigation Company, dated September 12, 1905, conveying all of said section 29; recorded in Book 32, page 212, of same records.

For jurisdiction, see act of February 1, 1881, *ante*, giving consent to the "purchase by the United States of such other lands within this State as its authorities may from time to time select for the erection of forts, magazines, arsenals, and other needful buildings."

CONNECTICUT.

GENERAL ACT OF CESSION.

"The consent of the State of Connecticut is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in this state required for customhouses, courthouses, post-offices, arsenals, or other public buildings whatever, or for any other purposes of the government. Exclusive jurisdiction in and over any land so acquired by the United States is hereby ceded to the United States for all purposes except the service of all civil and criminal process of the courts of this state; but the jurisdiction so ceded shall continue no longer than the United States shall own such land. The jurisdiction ceded shall not vest until the United States shall have acquired the title to such lands by purchase, condemnation, or otherwise; and so long as such lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all state, county, and municipal taxation, assessment, or other charges." (Approved April 5, 1899. Genl. Stats. of Conn., 1902, p. 1010, sec. 4102.)

FORT GRISWOLD.

This reservation contains 12.3 acres and is situated on Groton Heights, in New London County.

The title is as follows: The old fort, owned and occupied by the State as early as 1775, was, together with lands purchased by the State in 1777 from J. Chester and E. Prior, aggregating 4.643 acres, by the State Legislature authorized to be ceded to the United States. (Not evidenced by deed of cession.) Additional lands were purchased as follows:

1. Deed from Latham Avery, dated August 3, 1812 (conveying 1.958 acres), recorded in Deed Book 16, page 56, of the land records of the town of Groton.

2. Deed from Ebenezer Avery, dated August 3, 1812 (conveying 1 acre and 90 rods), recorded in Book 16, page 56, of same records.

3. Deed from William F. Brainard, attorney, etc., dated September 16, 1812 (conveying 1 acre and 74 rods), recorded in Book 15, page 212, of same records.

4. Purchase from Nicholas Lester, ———, 1841; no record received of deed; area by purchase, 2.759 acres.

5. Purchase from Albert Latham, ———, 1841; no record received of deed; area, 0.179 acre.

6. Purchase from Humphrey Baker, March 26, 1842; evidenced by bond for deed.

7. Purchase from Albert Latham, March 25, 1842; evidenced by bond for deed, aggregating 3.058 acres.

Jurisdiction was ceded by an act of the State Legislature approved June 9, 1842, which is as follows:

"SECTION 1. *Be it enacted, etc.*, That his Excellency, the Governor, be, and he is hereby authorized and empowered to cede to the United States, Fort Trumbull, in the town of New London, and Fort Griswold, in the town of Groton, and the jurisdiction of the lands whereon the same are situated, and so much of the lands thereto adjoining as in his opinion may be necessary for the accommodation of the United States.

"SEC. 2. *Be it further enacted*, That the deed, or instrument of such cession, shall be recorded by the Secretary of State before its final delivery to the United States. *Provided, however*, That the right to serve civil and criminal process upon said lands, be, and the same is hereby reserved."

There appears to be no record of the cession by deed as contemplated in the act, but notwithstanding this fact, it was held by Attorney-General Akerman, in an opinion dated April 15, 1871, that the jurisdiction of the United States over Fort Trumbull was unquestionable. In his opinion he said: (XIII Opinions, 411)

"It is not questioned that the land is owned by the United States, or that the purchase was with the consent of the legislature of the State. There is wanting a formal deed of cession which the legislature intended should be executed on the part of the State. Such a formality is not necessary to give jurisdiction.

"The purchase by the United States, and the consent of the legislature to the purchase, gave to Congress the exclusive power of legis-

lation over the purchased land. (Constitution of the United States, Art. I, sec. 8.) A legislative consent to the purchase could be given either before or after the purchase, and such consent, whenever given, together with the fact of the purchase, establishes the jurisdiction of the United States."

The right to occupy the Fort Griswold tract for the purposes of a public park was granted to the State of Connecticut by act of Congress, June 6, 1902, but the United States reserved to itself the fee in said tract and the right to resume possession, etc.

See also General Act of Cession.

FORT HALE.

This reservation contains about 30 acres, and is situated on the east shore of New Haven Harbor, in the Town of New Haven, the title being as follows:

1. Deed from Kneeland Townsend, dated April 27, 1809, recorded May 10, 1809, in East Haven Fourth Ledger Book, page 87.
2. Deed from Truman Colt, dated May 3, 1809, and recorded May 10, 1809, page 88, of same records.
3. Deed from Philemon Augur, dated August 21, 1809, and recorded August 24, 1809, page 92, of same records.
4. Deed from Benjamin Belden and Lyman Hotchkiss and wife, dated September 16, 1870, and recorded December 11, 1871, in Vol. 19, page 22, of East Haven Land Records.
5. Deed from Timothy Andrews, Trustee, dated August 19, 1871, and recorded December 11, 1871, in Vol. 18, pages 785–786, of same records.
6. Deed from C. W. Bradley, Trustee for Episcopal Church, dated August 19, 1871, and recorded December 11, 1871, in Vol. 18, pages 786–787, of same records.
7. Deed from Martha P. Pardee, dated August 19, 1871, and recorded December 11, 1871, in Vol. 18, page 650, of same records.
8. Deed from Martha P. Pardee, Guardian, dated August 21, 1871, and recorded December 11, 1871, in Vol. 17, pages 673–674, of same records.
9. Deed from Samuel Forbes, dated August 21, 1871, recorded December 11, 1871, in Vol. 19, page 23, of same records.
10. Deed from Benjamin Belden and Lyman Hotchkiss and wife, dated December 11, 1871, recorded December 16, 1871, in Vol. 19, page 24, of same records.
11. Deed from Isaac C. Stock, dated October 25, 1872, recorded November 7, 1872, in Vol. 19, page 110, of same records.
12. Deed from Bela Forbes, dated October 29, 1872, recorded October 29, 1872, in Vol. 19, page 109, of same records.
13. Deed from Bela Forbes, dated October 29, 1872, recorded October 29, 1872, in Vol. 19, page 652, of same records.
14. Deed from Bela Forbes, dated November 5, 1872, recorded November 7, 1872, in Vol. 19, page 655, of same records.
15. Decree of Condemnation rendered in the Superior Court October 21, 1872, in the case of United States *v.* Bela Forbes—Recorded October 29, 1872, in Vol. 20, pages 10 to 17, inclusive, of same records.

Consent to the purchase and jurisdiction over the above-conveyed

lands, except those described in Deeds numbered 1, 2, and 3, as follows:

Act of State Legislature approved July 12, 1870:

"SECTION 1. The consent of this State is hereby given to the purchase by the United States of America, of so much land adjacent to Fort Hale in the town of East Haven as lies westerly of a line marked A B on a map of premises at Fort Hale, &c., surveyed in 1864 for the United States Government by William Hartley on file in the War Department of the United States, and to so much of the land of Bela Forbes as lies adjacent to and easterly of said line; the premises for the purpose of which consent is hereby given, being land owned by J. G. Stark, about three acres, land owned by Bela Forbes, about nine acres, land owned or claimed by the Episcopal Society in East Haven about one acre, land owned by Samuel Forbes, about one acre, land formerly owned by L. Pope, about eight acres, and land formerly owned by Isaac Pardee, about two acres.

"SEC. 2. Jurisdiction is hereby ceded to the United States of America over all such lands as may be purchased by the United States, within the limits provided in the preceding section; reserving, however, the right to serve both civil and criminal process, issued under the authority of laws of this State, upon said lands."

Act of the State Legislature, approved July 14, 1870:

"Whereas the United States have taken and used for purposes of fortification at Fort Hale in the town of East Haven, a certain parcel of salt meadow land, containing about four acres, formerly belonging to Mary Bishop of East Haven, and by her devised to the Episcopal Society in said town, in trust to apply the rents and profits therefrom to the support of an Episcopal minister in said town, forever; and also another parcel of land or salt meadow near said fort, lying east of King Island, comprising about two acres and belonging formerly to Isaac Pardee of said town, but now held in trust under said Pardee's will by Timothy Andrews of said town for the benefit of Joseph Pardee of said town, and the family of said Joseph; And Whereas the United States are desirous to purchase said two described parcels, and said Episcopal Society have voted to sell their interest in said first-described tract to the United States, and said Timothy Andrews desires to sell said second-described parcel to the United States, and it is manifestly for the interest of all concerned in said trust estates that such sales should be effected; therefore be it

"*Resolved, etc.*, That the Protestant Episcopal Society of East Haven hereby is authorized and empowered to sell and convey their interest in the first parcel of salt meadow land above described and Charles W. Bradley of East Haven is hereby authorized to convey the same as the agent of said society to the United States on such terms as the parties may agree upon; and Timothy Andrews of East Haven is hereby empowered to sell and convey to the United States the second above-described parcel of salt meadow land on such terms as he may agree upon with the United States; and such conveyances when made shall vest in the United States a clear title to the premises conveyed, free and discharged of any trust; *Provided, however*, that it shall be the duty of said Society and of said Timothy Andrews to reinvest the moneys by them respectively, received for said convey-

ances in other lands, or in public or mortgage securities and hold the same in each case subject to the same trusts created by the wills under which their respective titles were originally derived with reference to said respective parcels of land thus to be conveyed."

And the following Act of the State Legislature, approved June 26, 1872:

"SECTION 1. The consent of this State is hereby given to the purchase by the United State of America of so much land adjacent to the grounds surrounding Fort Hale in the town of East Haven as lies westerly of a line marked A, B, C, D, E, on a map of premises at Fort Hale, etc., surveyed in 1864, for the U. S. Government, by William Hartley, on file in the War Department of the United States; the premises, for the purchase of which consent is hereby given, being the same premises described in the Act to which this Act is in addition, together with one additional triangular strip of land containing about one acre and three-quarters, conveyed to the United States by Benjamin Belden, Lyman Hotchkiss and Sarah A. Hotchkiss by deed dated December eleventh, 1871, and recorded in East Haven land records, volume 19, page 24, and designated on said map, or a tracing thereof, filed by the United States in the office of the Secretary of this State, by the lines A, B, B."

(Sections 2, 3, 4, 5 and 6 provide for condemnation, manner of procedure, etc.)

"SEC. 7. Jurisdiction is hereby ceded and confirmed to the United States of America over all such lands as have been or may be acquired by the United States, within the limits provided and described in the first section of this Act; so long as the same shall remain the property of the United States; reserving, however, the right to serve both civil and criminal process issued under the authority or laws of this State, upon said lands."

By an act of Congress, approved September 1, 1890, the Town of New Haven was granted the right to occupy, improve and control for the purposes of a public park, the foregoing described reservation, but the United States reserved to itself the fee in said tract and the right to resume possession, etc.

See also General Act of Cession.

Revocable License: License, June 30, 1890, to the Town of New Haven to enter upon the reservation and improve the road thereon and construct a new road along the eastern boundary.

LIGHT HOUSE POINT.

(Or Five-Mile Point.)

This reservation contains about 1 acre and is situated in the town of East Haven, about 5 miles from New Haven.

The title is as follows:

Deed from Amos Morris, dated May 5, 1804, conveying the above site for light-house purposes. Deed recorded in East Haven Ledger Book, page 242, May 5, 1804.

The site being no longer needed for light-house purposes was transferred to the War Department, November 6, 1896.

Jurisdiction was ceded by the General Assembly of Connecticut, on the second Thursday of May, 1804.

See also General Act of Cession.

Revocable Lease: Lease for five years from January 1, 1907, of this reservation to Albert Widmann.

FORT TRUMBULL.

The total area of this reservation is 13.63 acres, with metes and bounds as announced in G. O. 167, W. D., October 3, 1906. It is situated on the south of New London Harbor about 1½ miles above the mouth of the Thames River.

The title is as follows: Original reservation held by the State for military purposes and first post established by the State in 1775. In October, 1778, the State legislature authorized this post to be ceded to the United States, but there exists no evidence of any action by the Governor. In May, 1804, the State Legislature, by an Act approved May —, 1804, gave consent to the purchase by the United States, the material portion of said act being included in the following:

Deed from Samuel Mather, John Munford and Elias Perkins, guardians, etc., dated January 17, 1805, conveying 11¼ acres and recorded in * * *.

By Act of Congress approved March 2, 1833, an additional tract of land was acquired by Deed from Lucretia Mitchell to the United States, dated April 9, 1833, conveying 2¼ Acres, 27 Poles and 204 Square Links, and recorded in Book 40, page 362, of the records of Town of New London.

Agreement defining boundary of land by Lucretia Mitchell, above grantor, dated July 15, 1833, and recorded July 23, 1833, in Book 38, page 323, of records of town of New London. By Act of the State Legislature approved June 9, 1842, the Governor was authorized to cede to the United States Fort Trumbull and Fort Griswold, together with jurisdiction. No cession by deed, but see Fort Griswold. See also Appendix, pages 428, 439. See also General Act of Cession.

Revocable License: License, February 14, 1899, to the Board of Sewer Commissioners of New London to construct and maintain a sewer across the reservation.

DELAWARE.

GENERAL ACT OF CESSION.

Be it enacted, etc., SECTION I. That the consent of the Legislature of Delaware be and the same is hereby given to the purchase by the Government of the United States, or under authority of the same, of any tract, piece or parcel of land not exceeding one hundred acres in any one place or locality from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State of Delaware, for the purpose of erection thereon of forts, magazines, arsenals, dockyards and other needful buildings; and all deeds, conveyances, or title papers for the same shall be recorded as in other cases upon the land records of the county in which the land so conveyed may be situated; and in like manner may be recorded a suffi-

cient description, by metes and bounds, courses and distances, of any tracts, legal divisions of any public land belonging to the United States, which may be set apart by the general government for any or either of the purposes before mentioned, by an order patent, or other official document or papers so describing such land. The consent herein and hereby given being in accordance with the eighteenth clause of the eighth Section of the first Article of the Constitution of the United States, and with the Acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances, for the purposes before mentioned, shall be held exempt from taxation by the State of Delaware.

SEC. 3. The sovereignty and jurisdiction of this State shall extend over all lands hereafter acquired by the United States within the limits of this State, so far as that all civil and criminal process, issued by virtue of any law of the State, may be executed in any part of the lands so acquired, or the building or structures thereon erected. (Approved May 19, 1898. Laws of Delaware, 1898, p. 3.)

FORT DELAWARE.

The reservation includes the whole of "Pea Patch Island;" contains 178 acres; is situated in the Delaware River near the town of Newcastle.

The title to and jurisdiction over the Island was ceded to the United States by an Act of the State Legislature, approved May 27, 1813, as follows:

"SECTION 1. *Be it enacted, etc.*, That all the right, title, and claim which this State has to the jurisdiction and soil of the island in the Delaware, commonly called the Pea-patch, be, and the same is hereby, ceded to the United States of America, for the purpose of erecting forts, batteries, and fortifications, for the protection of the river Delaware and the adjacent country; upon the condition nevertheless, that the said forts, batteries, and fortifications shall be erected and kept up at the expense of the United States, and also that all process, civil and criminal, issuing under the authority of this State may be executed and served within the place, the jurisdiction of which is hereby ceded as aforesaid, in the same manner as if no such cession had been made."

See Ex. Doc. No. 21, Thirtieth Congress, first session (Senate), report of the Solicitor of the Treasury transmitting decision of Hon. John Sergeant, in favor of the United States in the matter of the Pea Patch Island, referred to him as sole arbitrator between the United States claiming title from the State of Delaware on one side, and James Humphry claiming title through Henry Gale from the State of New Jersey, on the other.

NOTE.—Title, "Pea Patch Island, Delaware:" The territory of the State of Delaware within the "twelve-mile circle" extends across the Delaware River to low-water mark on the Jersey shore. So held in the arbitration at Philadelphia, January 15, 1845.

The title to the tract having afterwards become involved in dispute, the following deeds were executed:

1. Deed from J. T. Hudson, dated August 13, 1842, conveying Pea Patch Island.

2. Deed from James Humphrey, dated June 9, 1847, conveying Pea Patch Island. Deed recorded in Book 5, folio 605, of the records of Salem County.

FORT DU PONT.

This reservation contains 269.35 acres, and is situate opposite Fort Delaware (Pea Patch Island), in Red Lion Hundred, Newcastle County.

The title is as follows:

1. Deed from Clement Reeves and wife, dated September 12, 1871; recorded September 23, 1871, Deed Record O, Vol. 9, page 10, etc., in deed records of Newcastle County.

2. Deed from Harry C. Clark and wife, dated July 24, 1899, conveying 111.5 acres. Deed recorded in Record B, Vol. 18, page 230, of same records.

3. Deed, dated December 8, 1904, from Isaac Reeves, et al., recorded April 4, 1905, in the Recorder's Office at Wilmington, in Deed Record E, vol. 20, page 559, et seq., conveying two tracts of land, comprising an area of 95.52 acres, adjoining the reservation.

Jurisdiction over tract acquired in 1871 was ceded by Act of the State Legislature, approved January 30, 1867; and over tracts acquired in 1899 and 1904, by act, approved March 16, 1905. These Acts provide as follows:

"SECTION 1. *Be it enacted, etc.*, That Clement Reeves and James B. Henry, both of New Castle County, are hereby authorized and empowered to convey to the United States a certain tract of land, situated in Red Lion hundred, in said county, upon which the United States has recently erected a fortification known as the 'Ten Gun Battery,' and also the road leading from said fortification to the Delaware and Chesapeake Canal.

"SEC. 2. *And be it further enacted*, That jurisdiction over the said land and road purchased by the United States for the purposes aforesaid is hereby ceded to the United States; *Provided, nevertheless*, That all civil and criminal process issued under the authority of this State shall continue to run into and be served and executed in and upon said tract of land and all parts thereof in the same manner as if the jurisdiction had not been granted as aforesaid." (Act of January 30, 1867.)

(There does not seem to be any deed from the James B. Henry mentioned in the Act, nor evidence of title in said Henry. No deed for road unless included in land conveyed by Reeves and wife.)

"SECTION 1. That the consent of the Legislature of Delaware be and the same is hereby given, pursuant to the seventeenth clause of the eighth section of the first article of the Constitution of the United States, to the purchase by the United States of the three tracts of land aggregating, approximately, two hundred and seven acres, situate in Red Lion Hundred, New Castle County, for the enlargement of the military reservation of Fort Du Pont, Delaware, said tracts comprising about one hundred and eleven and five-tenths acres, acquired by deed from Harry C. Clark and wife, dated the twenty-fourth day of July, one thousand eight hundred and ninety-nine, and recorded

in Deed Record B, volume eighteen, page two hundred and thirty, etc., in the Recorder's Office at Wilmington, Delaware; and two parcels aggregating about ninety-five and fifty-two hundredths acres, to be purchased from Thomas C. Reeves, et al., heirs of Clement Reeves, deceased: *Provided*, That the sovereignty and jurisdiction of this State shall extend over said lands so far as that all civil process and such criminal process as may issue under the authority of this State against any person or persons charged with crimes or other offenses committed without such lands may be executed thereon in the same way and manner as if this consent had not been given." (Act of March 16, 1905.)

DISTRICT OF COLUMBIA.

AQUEDUCT BRIDGE.

(Northern approach to.)

This reservation contains 172 square feet. The title is as follows: Decree of condemnation for 172 square feet of land in a cause entitled the "United States *v.* Chesapeake and Ohio Canal Company," in the Supreme Court of the District of Columbia. Decree rendered September 20, 1889, and filed the same day in Clerk's Office of said Court. The decree also grants a right of way 49.37 feet in width across the canal of the Chesapeake and Ohio Canal Company.

(See also Aqueduct Bridge, Virginia.)

Easement: Act of Congress, approved January 29, 1903, provided for the crossing of Aqueduct Bridge by the Great Falls and Old Dominion Railroad Company.

BATTLE GROUND NATIONAL CEMETERY.

The area of this cemetery is 1.033 acres. It is situated on the east side of the Washington and Rockville Turnpike, near Brightwood, being a portion of a tract of land adjoining old Washington, known as the "Girls' Portion."

The title is as follows: Possession taken, on behalf of the Government, for National Cemetery purposes, by Quartermaster-General M. C. Meigs in July, 1864. Possession retained and title acquired under the provisions of the Act of Congress, approved February 22, 1867, providing for National Cemeteries. Land appraised, paid for and title passed on petition of the owner, James Mulloy *v.* The United States, filed, presented, and confirmed in the Supreme Court of the District of Columbia, July 23, 1868. Cause No. 188, District Court Docket.

COLUMBIA HARMONY ASSOCIATION (BURIAL SITE).

Lots 1 and 2, burial sites. Cemetery situated near Washington. Title derived by sale to the United States from the Columbia Harmony Association. For the care, etc., of the graves, the property is in possession of the above-named association under an agreement in writing dated October 1, 1868.

DISTRICT OF COLUMBIA MAGAZINE.

This reservation contains an area of 4 acres. It is situated in Georgetown, now West Washington. The title is as follows:

Deed from Thomas A. Brooke, dated September 9, 1815; recorded in Liber A. K. No. 35, folios 3 and 4, of the land records of Washington.

FORD'S THEATER PROPERTY.

This property is situated on the east side of Tenth street, between E and F streets, in the city of Washington; the title being acquired as follows: An Act of Congress, approved April 7, 1866, provided for its purchase from John T. Ford, and under its provisions said John T. Ford conveyed to the United States by deed dated May 12, 1866; recorded in Liber No. 737, Folio 321, of the land records of Washington County, in the District of Columbia. The property conveyed includes the whole of Lot 10 and parts of Lots 9 and 11 in Square No. 377.

Deed from Alex. Y. P. Garnett and wife, dated July 13, 1874; recorded July 17, 1874, in Liber No. 757, Folio 133, of the land records of Washington County, District of Columbia. The Garnett deed conveyes a part of Lot 4 in Square 377, in rear of the above Theater property.

SOLDIERS' HOME NATIONAL CEMETERY.

This reservation, containing about 16 acres, was set apart for a place of burial for officers and soldiers, both regular and volunteer, by the Commissioners of the Military Asylum, by Special Order No. 198, dated Adjutant-General's Office, July 25, 1861.

WALTER REED UNITED STATES ARMY GENERAL HOSPITAL.

This reservation contains an area of about 43.27 acres, with metes and bounds as announced in G. O. No. 83, W. D., May 2, 1906. It is situated west of Brightwood avenue near the north corner of the District. The title is as follows:

1. Deed from George W. Madert and wife, dated April 15, 1905, received for record September 8, 1905, and recorded in Liber No. 2873, folios 408 et seq., Land Records of the District of Columbia; conveying 43.27 acres.

2. Deed from George W. Madert and wife, dated May 20, 1905, received for record September 8, 1905, and recorded in Liber No. 2873, folios 410 et seq., of same records; releasing right of way over a strip of land ten feet wide along the southerly boundary, which was reserved by the former deed.

WASHINGTON BARRACKS.

This reservation is situated on Greenleaf's Point, in the city of Washington, and has been occupied for military purposes since 1797. The area of the original reservation was 28 acres 2 roods and 31 poles. Title was acquired as follows: Reservation acquired under Act of

July 16, 1790, designating the site of the District of Columbia, and afterwards announced by Executive Order dated July 25, 1798. The area of the reservation now is about 69 acres; additional land having been purchased under an Act of Congress approved March 3, 1857. The title to the additional lands so purchased is as follows:

1. Deed from John Kean, dated April 3, 1857; conveying square No. 548; recorded in Liber I. A. No. 147, folios 258 and 259, of the land records for Washington County, in the District of Columbia.

2. Deed from Thomas Hogan and wife, dated April 12, 1857, conveying Lot No. 8 in square 548; recorded in Liber I. A. S. No. 147, folios 251, 252 and 253, of same records.

3. Deed from Michael Dooley and wife, dated April 18, 1857, conveying Lot No. 5, in square 548; recorded in Liber I. A. S. No. 147, folios 260, 261 and 262, of same records.

4. Deed from W. H. Phillip, dated April 18, 1857, conveying Lots 14, 15, 16, 17, 18, 19 and 20 in square 548; recorded in Liber I. A. S., No. 147, folios 262, 263 and 264, of same records.

5. Deed from William B. Todd and wife and William H. Phillip, dated April 18, 1857, conveying square No. 506; all of square south of 506; all of square east of 549; all of square south of 549; all of square west of 604; all of square west of 606; all of square northwest of 606 and also lot 24 of square 505; recorded in Liber I. A. S. No. 149, folios 35, 36 and 37, of same records.

6. Deed from James M. Carlisle, dated April 20, 1857, conveying Lots 1, 2, 3, 21, 22 and 23 in square 548; recorded in Liber I. A. S. No. 147, folios 246 and 247, of same records.

7. Deed from Joseph Moynihen and wife, dated April 27, 1857, conveying Lot No. 6 in square 548; recorded in Liber I. A. S. No. 147, folios 255, 256 and 257, of same records.

8. Deed from Winifred Martin, dated April 28, 1857, conveying Lot No. 4 in square 548; recorded in Liber I. A. S. No. 149, folios 37, 38 and 39, of same records.

9. Deed from William B. Todd and wife, dated April 28, 1857, conveying Lot No. 9 in square 548; recorded in Liber I. A. S. No. 148, folios 44, 45, 46 and 47, of same records.

10. Deed from James E. Johnson and wife, dated April 29, 1857, conveying all of square east of square 548; all of square east of square east of square 548, and Lots Nos. 10, 11, 12 and 13 in square 548; recorded in Liber I. A. S. No. 147, folios 253, 254 and 255, of same records.

11. Deed from William Gunton, Stanislaus Murray, Archibald Henderson, Jacob Gideon, Benjamin F. Middleton, and John F. Callan, surviving trustees of the Bank of Washington, dated April 30, 1857; conveying square 549; recorded in Liber I. A. S. No. 147, folios 248 and 249, of same records.

12. Deed from John B. Kibbey and wife, dated May 6, 1857, conveying all of square south of south of square 506; recorded in Liber I. A. S. No. 149, folios 39, 40 and 41, of same records.

13. Deed from Samuel Byington and wife, dated August 7, 1857, conveying Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 25 in square 505; recorded in Liber I. A. S. No. 148, folios 41, 42, 43, and 44, of same records.

14. Deed from Buckner Bayliss and wife, dated October 23, 1857, conveying Lot No. 7 in square 548; recorded in Liber I. A. S. No. 147, folios 249, 250 and 251, of same records.

15. Deed from Walter Lenox, trustee, et al, dated December 23, 1857, conveying all of square 505; recorded in Liber I. A. S. No. 148, folios 38, 39 and 40, of same records.

Washington Arsenal turned over to the Quartermaster's Department and name changed to Washington Barracks May 12, 1881, under authority of General Order No. 46, Adjutant-General's Office, 1881.

For jurisdiction over all the foregoing described property in the District of Columbia, see clause 17 of Section 8, Article I, Constitution of the United States.

Revocable License: March 17, 1906, to The Chesapeake and Potomac Telephone Company to erect, operate, and maintain telephone line.

FLORIDA.

GENERAL ACT OF CESSION.

"SECTION 1. * * * The United States are hereby authorized and empowered to purchase, acquire, hold, own, occupy and possess such lands within the limits of this State as they shall seek to occupy and hold as sites on which to erect and maintain forts, magazines, arsenals, dock yards and other needful buildings, or any of them, as contemplated and provided in the Constitution of the United States;" * * *

(Section 2 provides for condemnation of lands when price not agreed upon.)

"SEC. 3. * * * Whenever the United States shall contract for, purchase or acquire any land within the limits of this State for the purposes aforesaid in *either* of the modes above mentioned and provided, or shall hold for such purposes lands heretofore lawfully acquired or reserved therefor, and shall desire to acquire constitutional jurisdiction over such land for said purposes, it shall be lawful for the Governor of this State, upon application made to him in writing on behalf of the United States for that purpose, accompanied by the proper evidence of said reservation, purchase, contract, or acquisition of record, describing the land sought to be ceded by convenient metes and bounds, thereupon, in the name and on behalf of this State, to cede to the United States exclusive jurisdiction over the land so reserved, purchased or acquired and sought to be ceded; the United States to hold, use, occupy, own, possess and exercise said jurisdiction over the same for the purposes aforesaid, and none other whatsoever: *Provided, always*, That the consent aforesaid is hereby given, and the cession aforesaid is to be granted and made as aforesaid, upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands so to be ceded, and every portion thereof, so far that all process, civil or criminal, issuing under authority of this State, or of any of the courts or judicial officers thereof, may be executed by the proper officers thereof, upon any person or persons amenable to the same, within the limits and extent of land or lands so ceded, in like manner and to like effect as if this law had never been passed; saving, however, to the United States security to their property within said limits and extent, and exemption of the same, and of said land or lands from any taxation under the authority of this State while the same

shall continue to be owned, held, used and occupied by the United States for the purposes above expressed and intended, and not otherwise." (Approved July 24, 1845. Rev. Stats. Florida, 1892, p. 113.)

GENERAL ACT AS TO SUBMERGED LANDS.

By act approved December 27, 1856 (R. S. Fla., 1892, sec. 454), the State of Florida "for the benefit of commerce" divested itself—"Of all right, title and interest to all lands covered by water, lying in front of any tract of land owned by a citizen of the United States, *or by the United States*, for public purposes, lying upon any navigable stream or bay of the sea or harbor, as far as the edge of the channel, and hereby vests the full title to the same in and to the riparian proprietors, giving them the full right and privilege to build wharves into streams or waters of the bay or harbor as far as may be necessary to effect the purposes described, and to fill up from the shore, bank or beach as far as may be desired, not obstructing the channel, but leaving full space for the requirements of commerce, and upon lands so filled in, to erect warehouses or other buildings; and also the right to prevent encroachments of any other person upon all such submerged land in the direction of their lines continued to the channel, by bill in chancery, or at law, and to have and maintain action of trespass in any court of competent jurisdiction in the State, for any interference with such property, also confirming to the riparian proprietors all improvements which have heretofore been made upon submerged lands, for the purposes herein mentioned."

ANASTASIA ISLAND MILITARY RESERVATION.

This reservation is situated in St. John's County near the city of St. Augustine and contains 700 acres, being the SE. ¼ of Sec. 21; all of frac. Sec. 22; the NE. ¼ of the NE. ¼ of Sec. 28, and all of Section 27 in township 7 South, range 30 East, and also all the lands formed by the sea since the United States Survey of 1855 lying east of said lands and between the north boundary line prolonged of said SE. ¼ of Sec. 21 and the south boundary line prolonged of Sec. 27. It was reserved from the public domain by Executive Order, dated May 4, 1893. Jurisdiction was ceded to the United States by deed of the Governor of the State, dated September 4, 1893, recorded in the office of the Secretary of State of the State of Florida, in Mortgage Book A, pages 316 to 320 inclusive. Deed executed under authority of General Act of Cession.

Easement: Prior to the reservation of Anastasia Island for military purposes, the Secretary of the Interior, under date of October 11, 1886, granted a right of way, 200 feet wide, to the St. Augustine and South Beach Railway Co. Said right of way to extend from Lot 3, Sec. 17, T. 7 S., R. 30 E., to Sec. 24, T. 9 S., R. 30 E., excepting "that portion within the limits of the Light House Reservation," which includes Lots 1 and 2, Sec. 21, T. 7 S., R. 30 E.

The company subsequently amended its line of route so as to avoid the light house reservation, and the map of the amended definite location was approved under act of 1875, by the Secretary of the Interior on May 23, 1888.

Revocable License: April 3, 1906, to Conrad Decher to occupy and use certain lands for terminal purposes and right of way. Property, etc., of railway transferred to St. Johns Electric Light and Power Company.

FORT BARRANCAS.

This reservation is situated on the north side of Pensacola Harbor, 9 miles southwest of Pensacola, 1 mile from Fort Pickens in Escambia County and contains an area of about 2,700 acres.

The title is as follows: By article 2 of the Treaty of February 22, 1819, with Spain, by which that nation ceded to the United States the territory of the Floridas including "all public lots and squares, vacant lands, public edifices, fortifications, barracks, and other buildings which are not private property," the fort at Barrancas and its dependencies then occupied as a military work passed to the United States, this nation succeeding to the rights of the Crown. By act of Congress approved April 22, 1826, the lands fronting Pensacola Bay, from the mouth of the Big Bayou to a line below Tarter Point, and thence back to the Bayou, selected by the Navy Commissioners, and all the lands fronting said bay, and for 1 mile back, so far as Grand Lagoon, were reserved from sale or location for the use of the Navy-Yard or depot and for other public works of the United States and by Executive Order, dated January 10, 1838, were reserved for naval purposes. By Executive Order, dated May 11, 1844, a transfer of 1,667 acres, lying adjacent to and at Barrancas and running north to Bayou Grande, was made from the above naval reservation to the military authorities, and this tract constituted the entire military reservation until May 21, 1888, when the boundaries were enlarged by a transfer of another portion of said naval reservation by an Executive Order of that date. By an Executive Order, dated October 2, 1891, the boundaries were again enlarged by a modification of the naval reservation, transferring to the military reservation sufficient land to form the present area.

Jurisdiction was ceded to the United States by deed of the Governor of the State dated September 4, 1893, recorded in the office of the Secretary of State of the State of Florida, in Mortgage Book A, pages 316 to 320, under the provisions of an act of the State Legislature approved July 24, 1845. (See General Act of Cession.)

Easement: By Act of Congress, approved July 21, 1892, a right of way through the reservations near Pensacola was granted to the Mexican Gulf, Pacific and Puget Sound Railroad Company (now the Pensacola Terminal Company).

Lease: Lease for 5 years, from January 15, 1907, to Mrs. John Frazer, of Lot 1, Sec. 1, containing 34.50 acres, and Lot 2, Sec. 3, containing 65 acres, both lots in T. 3 S., R. 31 W.

Revocable Licenses: License, August 27, 1888, to Treasury Department to occupy portion of reservation for light-house purposes.

License, May 4, 1893, to Pensacola Terminal Company to extend its track 660 feet on the reservation.

BARRANCAS NATIONAL CEMETERY.

This cemetery contains about 8.56 acres, and is situated on the Naval Reservation near Fort Barrancas, in Escambia County, being

a part of the public domain ceded to the United States by Spain under the provisions of the Treaty of February 22, 1819.

See Fort Barrancas for source of title and General Act of Cession for jurisdiction.

BATTON ISLAND.

This reservation is located south of Fort George's Island, north of St. John's River, and the land westwardly between said island and the inland pass from St. John's to the St. Mary's River for the entire length of the island. Reservation made by order of the Secretary of War, dated March 23, 1849, under authority of an Act of Congress approved June 28, 1832.

For jurisdiction see General Act of Cession.

CAYO COSTA, OR BOCA GRANDE ISLAND.

This reservation includes the north end of the Island for a length of 2 miles from its northern extremity, and is situated at the entrance to Charlotte Harbor, in Lee County. As a part of the public domain it was reserved for military purposes by Executive Order, dated November 17, 1882.

For jurisdiction see General Act of Cession.

Revocable License: License, July 5, 1892, to the State Board of Health, of Florida, to erect and maintain a small cottage for the use of inspecting officer and boatmen of the said board, near the shore on the northwest end of reservation.

License, January 27, 1903, to the Treasury Department to use a portion of the reservation on La Costa Island for the purposes of the Marine Hospital Service.

CEDAR KEYS (AND FORT HOWARD).

This reservation contains an area of 202.8 acres and formerly included the Islands at the mouth of the Suwanee River known as North Key, Snake Key and Sea Horse Key in Levy County, with an area aggregating 319.3 acres.

The title is as follows: Part of the Public Domain reserved by Executive Order, dated March 2, 1840. Sea Horse Key, however, was set apart by the President for light-house purposes, September 2, 1851.

For jurisdiction see General Act of Cession.

Leases: Leases, December 1, 1906, for 5 years, to W. C. Howard and R. R. Richard, of North Key and Snake Key.

FORT CLINCH.

Amelia Island, upon the north end of which the above fort is situated, is a large island lying south of the mouth of St. Mary's River, in Nassau County, about 50 miles north of St. Augustine, in Nassau County. The Fort Clinch Military Reservation contained about 919.94 acres under title as follows: Fractional Section No. 8, Township 3 North, Range 29 East, and fractional section No. 11 and Lots 1 and 2 of fractional section No. 14, Township 3 North, Range 28 East reserved from the Public Domain for military purposes by Executive Order, dated February 9, 1842. Area reserved 420 acres.

2. Deed from George R. Fairbanks and wife, dated October 20, 1849, conveying 100 acres more or less. Recorded in the Clerk's Office Nassau County June 20, 1853, in Book D, pages 174 to 177.

3. Deed from George R. Fairbanks, Commissioner, etc., dated July 9, 1850, under Decrees of the Nassau Circuit Court May Term 1849—conveying 400 acres. Recorded in Book D, pages 162–174 of same records. By Executive Order, dated March. 3, 1897, a portion of Lots 1 and 2 of Section 14, Township 3 South, Range 28 East of Tallahassee Meridian, therein described, was relinquished to Interior Department.

For consent to purchase, condemnation and jurisdiction see General Act of Cession.

Revocable Licenses: License, October 30, 1871, to the Treasury Department to erect two range beacon lights on the reservation.

License, January 27, 1893, to the Treasury Department to use for the purposes of the Marine Hospital Service a square five hundred feet to either side of the quarantine gangway and extending back on the island to a depth of one thousand feet.

FORT DADE.

This reservation includes the whole of Egmont Key, with the exception of 15 acres at the north end reserved for light-house purposes. It is near the entrance to Tampa Bay, in Hillsboro County. It was reserved from the public domain for military purposes by Executive Order, dated November 17, 1882.

Jurisdiction was ceded, in accordance with paragraph 3, of the General Act of Cession, by deed from the Governor of the State, June 28, 1904. Deed recorded in Deed Book A, pages 45 to 48, in the office of the Secretary of State of Florida.

Revocable Licenses: License, by Department Commander, May 20, 1901, to the Tampa Bay Pilots Association to maintain a small wharf, a pilot look-out, and four small dwellings upon the reservation.

License, October 15, 1903, to the Palmetto Ice and Power Company to construct and maintain small ice house on the reservation.

License, dated May 28, 1904, to the Navy Department, for the "occupancy and use, for the purposes of a naval coast signal station," of about five acres of this reservation, with permission to erect a wooden shelter-house and a signal mast.

FORT DE SOTO.

This reservation contains 202 acres. It includes all of Mullet Key except about 271 acres, which tract was transferred to the Treasury Department for quarantine purposes May 15, 1899. The island is situated near the entrance to Tampa Bay, and is in Hillsboro County, about twenty-five miles from Tampa. The whole island was reserved from the public domain for military purposes by Executive Order, dated November 17, 1882.

Jurisdiction was ceded, in accordance with paragraph 3 of the General Act of Cession, by deed from the Governor of the state, June 28, 1904. Deed recorded in Deed Book A, pages 45 to 48, in the office of the Secretary of State of Florida.

Revocable License: License, October 15, 1903, to the Palmetto Ice and Power Company to construct and maintain small ice-house on reservation.

FLAG ISLAND.

This is a small island at St. George's Sound (West Pass) situated southwest of the Pass or entrance to the Sound in Franklin County, and as a part of the Public Domain was reserved for military purposes by Executive Order, dated November 17, 1882.

For jurisdiction see General Act of Cession.

GASPARILLA ISLAND.

This reservation includes the south end of the island for a length of two miles from its southern extremity and is situated at the entrance to Charlotte Harbor in De Soto County. As a part of the public domain it was reserved for military purposes by Executive Order, dated November 17, 1882.

For jurisdiction see General Act of Cession.

The custody of a portion of the reservation was conditionally transferred to the Treasury Department for light-house purposes, August 22, 1902.

Easement: Approval by the Secretary of War, January 30, 1906, and by the Secretary of Commerce and Labor, February 1, 1906, under act of June 13, 1902, of location of right of way granted to the Alafia, Manatee and Gulf Coast Railway Company, through the military and light-house reservations; with authority to occupy, for general traffic, coaling station, and for terminal facilities, a tract of land, at a yearly rent of $500. Amended location within military reservation, approved April 25, 1906.

KEY WEST BARRACKS.

This reservation contains an area of 22.79 acres, and is situated on the Island of Key West, in Monroe County. The title to lands derived as follows: By purchase under authority of act of Congress approved March 2, 1833 and evidenced by—

1. Deed from Mary R. Fleeming et al., dated December 14, 1833, conveying 14.79 acres. Recorded in Liber B, folios 47 to 50, of the Deed records of Monroe County.

2. Deed from Pardon C. Greene, dated May 4, 1835, conveying lots therein described. Recorded in Book B, page 183, of same records.

3. Deed from James Webb and wife, dated June 1, 1837, conveying about 8 acres. Recorded in Book B, pages 396 to 398, of same records.

See, also, General Act as to Submerged Lands, supra.

Consent to purchase and jurisdiction ceded by an Act of the State Legislature approved July 8, 1845, as follows:

"SECTION 1. *Be it enacted, etc.*, That the United States be, and they are hereby authorized and empowered to purchase, hold, occupy and possess the tract of land in the preamble above referred to (a tract of land consisting of several parcels, situated on the Island of Key West in Monroe County, between Light-House Point and the City of Key West) as the same, or the extent and limits thereof shall be ascertained, described and conveyed in the instrument or instru-

ments, which shall be executed for the conveyance of the same in pursuance of said negotiations. And the United States may and shall have and exercise exclusive jurisdiction over said tract of land within the extent and limits to be ascertained and described as aforesaid, as well as over any land or site that may be formed or constructed in the contiguous sea, and used and occupied by the United States for said purposes (of erecting and constructing on said land certain fortifications and the improvements connected therewith) in connection with the tract above mentioned, so long as they shall deem it proper to hold and occupy the same for the purposes aforesaid: *Provided*, That nothing herein contained shall be so construed as to prevent or debar the proper officers of the State of Florida from executing any process, civil or criminal, within the limits and extent of said land or lands when ascertained, described, and occupied as aforesaid."

This act was afterwards enlarged by the Act approved July 24, 1845, for which see General Act of Cession.

Easement: Under deed of conveyance, dated December 14, 1833, the heirs of the grantors have a right of way sufficiently wide for two carts abreast along the beach on the north front of the garrison.

Revocable Licenses: License, February 12, 1885, to International Ocean Telegraph Company to construct cable hut on the reservation.

License, May 25, 1906, to the Southern Bell Telephone Company for telephone system on reservation.

KEY WEST CEMETERY.

This burial lot contains about one-third of an acre and is situated in Tract No. 7, Island of Key West. The title is derived by deed from Euphemia Maloney to the United States, dated February 25, 1897, recorded in Book R R deeds, pages 94 and 95, of the records of Monroe County.

For jurisdiction see General Act of Cession.

FORT M'REE.

This reservation contains an estimated area of about 400 acres and is situated at the entrance to Pensacola Bay and embraces so much of the public land as lies within 1 mile of the fort (necessary land for two beacon lights and keeper's dwelling excepted) which has been erected on Foster's Bank, which is nearly opposite to, and west of the west end of Santa Rosa Island.

The title is as follows: As part of the public domain it was reserved for military purposes by Executive Order, dated February 9, 1842.

For jurisdiction see General Act of Cession.

FORT MARION.

Fort Marion is an old Spanish work said to have been commenced in 1565 and completed in 1756 under the name of Castle of St. Mark. Its name was changed to its present designation January 7, 1825. The fort and adjacent lands contain an area of 22 acres, 1 rood, and about 28 rods, and are situated at St. Augustine.

The title as well as jurisdiction acquired under the Treaty with Spain of February 22, 1819, but was formally set apart by the President as published in an order of the Secretary of War of March 23, 1849. Upon the admission of Florida, jurisdiction not having been reserved, " exclusive jurisdiction " was ceded by an Act of the State Legislature approved July 24, 1845. See General Act of Cession.

Revocable Licenses: License, December 17, 1884, to the International Ocean Telegraph Company to erect poles and maintain a wire along the reservation.

License, October 6, 1885, to the Jacksonville, St. Augustine and Halifax River Railway Company to build a bridge across the moat.

License, January 15, 1886, to the St. Augustine Gas and Electric Light Company to lay a gas pipe line on and through Orange Street and the city gates on the reservation.

License, July 18, 1889, to E. F. Joyce to lay a water main or pipe line across the reservation, from the north end of Charlotte Street to the north end of St. George Street at the city gates.

License, February 7, 1890, to J. N. Stuart and other citizens of St. Augustine to construct a sewer across the south end of the reservation in a southerly direction to Charlotte Street.

License, February 27, 1896, to Frank B. Genovar to occupy a parcel of land on the reservation.

License, February 27, 1896, to Mrs. Frank A. De Medices to occupy a parcel of land on the reservation.

License, February 27, 1896, to E. C. Allen to occupy a parcel of land on the reservation.

License, April 13, 1896, to the City of St. Augustine to lay a drain pipe through the ditch in " The Lines " near the city gates from the present stone bridge westerly about forty feet, and to fill in the moat to the grade of the street the length of the drain.

License, May 13, 1901, to J. J. Krom to lay a sewer pipe from his house on the corner of Charlotte Street, on the south boundary of the reservation, across the reservation and through the sea-wall.

License, May 8, 1902, to Saint Augustine Golf Club to use the " fort green " for golfing purposes. Modified April 28, 1905.

License dated October 19, 1904, to J. J. Krom, assignee of Frank B. Genovar, to continue the privilege granted to Genovar by license dated February 27, 1896.

License dated September 25, 1905, to the St. Augustine Gas and Electric Light Company to erect poles and wires on certain streets, including the street in front of Fort Marion.

MARTELLO TOWER NO. 1.

(Site of).

This reservation contains 18 acres and is situated on the southern coast of the Island of Key West. It is the site of a tower or fort erected during the civil war. The title is as follows:

Deed from Eduardo H. Gato and wife, dated March 14, 1898. Recorded in Book R. R., pages 342 and 343, of the records of Monroe County.

Jurisdiction was ceded by deed from the Governor dated July 23, 1898, under authority of Title II, Chap. I, sec. 9 of the Revised Statutes of Florida, 1892.

See also General Act of Session.

MARTELLO TOWER, NO. 2

(Site of).

Situated on southerly side of the Island of Key West. For area see description in deed.

Title was acquired by purchase authorized by the Secretary of War January 23, 1897, and is evidenced by a deed from Frank Livermore et al., dated April 28, 1897. Recorded in Book S of Deeds, pages 526 to 529, of the records of Monroe County.

Jurisdiction was ceded by deed from the Governor dated September 30, 1897, under authority of Title II, Chap. I, sec. 9 of the Revised Statutes of Florida, 1892.

See also General Act of Cession.

MORENO POINT RESERVATION.

This reservation is situated at the entrance of Santa Rosa Sound, and comprises so much of the point opposite to, and East of the East end of Santa Rosa Island as lies in Township 2 South, Range 22 West, Washington County; estimated area, 5,958.20 acres.

The title is as follows: As part of the public domain it was reserved for military purposes by Executive Order dated February 9, 1842.

For jurisdiction see General Act of Cession.

PERDIDO BAY.

(East side of entrance to)

This reservation, situated west of Pensacola, contains 109.9 acres.

A part of the public domain ceded by Spain, it was set apart and declared a military reservation by Executive Order, dated February 9, 1842.

For jurisdiction see General Act of Cession.

PENSACOLA MILITARY RESERVATION.

The above reservation contains 269.39 acres and is near Pensacola in Escambia County, being Lot 2 of Section 4, and Lots 1 and 2 of Section 9, in Township 3 South, Range 29 West, and fractional section 1, of Township 3 South, Range 30 West. Reserved from the public domain for the future military and naval defence of Pensacola Harbor, Florida, by Executive Order, dated August 21, 1897.

For jurisdiction see General Act of Cession.

Easement: Joint Resolution of Congress, approved January 30, 1871, granted to the Pensacola and Barrancas Railroad Company the right to construct its road upon and through the reservation.

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FORT PICKENS.

This reservation embraces the whole of Santa Rosa Island, except the Marine Hospital tract, and is unsurveyed. It is situated off the southern end of Santa Rosa County extending along the coast the full width of said county. Fort Pickens on the western point is 1 mile from Fort Barrancas.

Title to the Island was acquired as follows:

Deed from Joseph M. White, Attorney in fact of Henry Michelet, dated May 28, 1828, conveying approximately 1,181 acres on the west end of Santa Rosa Island. Recorded in Deed Book No. 2 pages 350 and 351, Santa Rosa County Records. (Report on Title shows that the Spaniards always maintained a battery at Fort Arriunado, on the western side of the island opposite Fort Barrancas, for the defense of the entrance to Pensacola Bay. The United States therefore succeeded Spain under the Treaty of 1819.)

The Island was reserved for naval purposes by Executive Order, dated April 21, 1838. The west end of Island transferred to War Department, by Executive Order dated May 21, 1888. The reservation modified and extended to include the whole of said Santa Rosa Island by Executive Order, dated July 2, 1888.

On January 27, 1903, a strip of land the full width of Santa Rosa Island and extending one half mile east and one half mile west from the hospital located at the quarantine station on said island, was transferred to the Treasury Department for the use of the Marine Hospital Service.

For jurisdiction see General Act of Cession.

Revocable Licenses: License, March 3, 1884, to the Treasury Department to occupy a strip of land for the use of a life-saving station.

License, September 22, 1888, to M. C. Snyder to reside on the reservation.

License, March 10, 1897, to W. A. Watson to erect a set of ways on the reservation.

License, February 14, 1898, to Aniello di Lustro to erect and maintain a temporary boarding house on the reservation.

License, October 10, 1901, to Charles Burton to build and maintain a public bath establishment on the reservation.

License, January 12, 1904, to H. H. Lewis, et al., to build a wharf and erect a pavilion on the reservation.

ST. ANDREW'S BAY.

This reservation, including Hurricane Island, is situated near the entrance to St. Andrew's Bay in Washington County.

The lands are more particularly described as lots 1 and 2 of Section 4, lots 1, 2, 3 and 4 of Section 5; lots 1 and 2 of Section 6, and fractional sections 8 and 9 of Township 5 South, Range 14 West, including Hurricane Island. Also, lots 2 and 3 of Section 15; lots 1, 2, 3, 4 and 5 of Section 22; lots 1, 2, 3 and 4 of Section 23; lot 2 of Section 25; lots 1, 2 and 3 of Section 26, and fractional sections 27 and 35 in Township 4 South, Range 15 West.

The area of surveyed land is 1,503.84 acres and of Hurricane Island unsurveyed, about 50 acres.

Reserved from the Public Domain by Executive Order, dated May 3, 1897.

For jurisdiction see General Act of Cession.

Revocable Lease: Five years from February 1, 1906, to Joseph L. McReynolds, at $50 per annum.

ST. AUGUSTINE NATIONAL CEMETERY.

This was the old post cemetery at St. Augustine. It was announced as a national cemetery of the fourth class in G. O. 86, A. G. O., December 7, 1881.

ST. JOHN'S BLUFF.

This reservation contains 117.7 acres, and is situated near Mayport, in Duval County.

The title is as follows:

1. Decree of Condemnation for the above tract in a cause entitled "In Re Condemnation of St. John's Bluff," in the Circuit Court of the United States, for the Southern District of Florida. Decree rendered April 25, 1901, and filed in the Clerk's Office of said Court.

2. Deed from John F. Horr, United States Marshal for the Southern District of Florida, dated April 10, 1902, conveying the above tract. Recorded in Book 10, page 712, of the records of Duval County.

Jurisdiction was ceded, in accordance with paragraph 3 of the General Act of Cession, by deed from the Governor of the State, June 25, 1904. Deed recorded in Deed Book A, pages 27 to 29, in the office of the Secretary of the State of Florida.

ST. JOSEPH'S BAY RESERVATION.

This reservation includes the whole neck or peninsula forming the Bay of St. Joseph from its northern extremity or Point St. Joseph to its connection with the mainland at the eastern shore of the Bay including Cape San Blas.

Title is as follows: Reserved for military purposes under the provisions of an Act of Congress approved June 28, 1832, by order of the Secretary of War, dated March 23, 1849.

For jurisdiction see General Act of Cession.

TWO ISLANDS NEAR ST. AUGUSTINE.

These are small Islands in the main channel of the Mantanzas River near St. Augustine and contain an area aggregating about 2 acres. The title is as follows: As part of the public domain they were reserved for military purposes by Executive Order dated May 31, 1892.

For jurisdiction see General Act of Cession.

ST. FRANCIS BARRACKS.

This reservation, comprising the barracks lot, the military hospital lot, the powder house lot, and the "Hedrick lot" or "powder magazine lot," contains about 20 acres, and is situated in the city of St. Augustine. Title is as follows:

1. Part of the premises was reserved under act of Congress, June 28, 1832, by orders of the Secretary of War in letters dated October 12, 1839, and March 23, 1849. See G. O. No. 58, A. G. O., 1893, for Executive Order publishing and defining the boundaries of the reservation as it then existed, excepting the powder house lot.

2. A parcel of land, designated as the "Hedrick lot," or "powder magazine lot," was conveyed to the United States, in exchange for the "custom-house lot," by the following deed:

Deed from Charles F. Hamblen and wife, dated February 10, 1902, conveying the Hedrick or powder magazine lot. Recorded in Book 2, page 462, of the records of St. John's County.

Exclusive jurisdiction was ceded by the Governor, September 4, 1893, and over the Hedrick tract, June 14, 1902. See also General Act of Cession.

Revocable licenses: License, October 28, 1889, to the St. Augustine and South Beach Railway Company to maintain as previously located a wharf for the landing of steamers.

License, January 30, 1890, to the city of St. Augustine to fill up to the grade of the street the two basins at or near the intersection of Saint Francis and King Streets with the city wall.

License, April 25, 1895, to the St. Augustine Yacht Club to rebuild its club-house on a parcel of United States land east of the sea-wall.

License, September 14, 1895, to J. W. Estes to occupy a parcel of United States land east of the sea wall and to erect thereon a wharf and building.

License, August 7, 1903, to J. W. Estes to repair his wharf and yacht house.

License, September 11, 1903, to Daniel Allen to construct and maintain a wharf in front of the sea wall.

License dated December 8, 1905, of powder house lot, to Joseph Lynn, for pasturage purposes.

FORT TAYLOR.

This reservation is situated at the southwestern extremity of the city of Key West, and contains an area of 62.89 acres. The title is as follows:

1. Deed from John Barcroft, Trustee, et al., dated October 15, 1845, conveying 11.89 acres. Recorded in Deed Book D, pages 86 to 88, of the records of Monroe County.

2. Deed from William C. Greene and Elizabeth M. Greene, dated December 23, 1845, conveying 29 acres. Recorded in Deed Book D, pages 104 to 106, of same records.

3. Deed from Hetty Greene, dated January 6, 1846, quitclaims interest in the 29 acres. Recorded in Book D, page 107, of same records.

4. Deed from John W. Simonton, dated February 17, 1846, conveying 22 acres. Recorded in Deed Book D, pages 131, 132 and 133, of same records.

Jurisdiction was ceded by the Acts of the State Legislature approved July 8 and July 24, 1845, for which see Key West Barracks for the former and General Act of Cession for the latter act.

Revocable Licenses: License, December 16, 1891, to the Key West Gas and Electric Light Company to construct a ditch from the pond on the reservation to the boundary thereof.

License, July 16, 1898, to the Key West Gas and Electric Light Company to lay and maintain an underground pipe from its plant to the sea across the reservation.

VIRGINIA KEY.

This reservation is situated between Norris Cut and Bear Cut in Biscayne Bay in Dade County. It includes all the lands unsurveyed that lie in Sections 17 and 20, in Township 54 South, Range 42 East, of Principal Meridian.

Title is as follows: Part of the Public Domain reserved for military purposes by Executive Order, dated February 11, 1897. Jurisdiction was ceded by an act of the State Legislature approved July 24, 1845. See General Act of Cession.

GEORGIA.

ANDERSONVILLE NATIONAL CEMETERY.

This cemetery contains an area of 120 acres and is situated about 1 mile from Andersonville, in Sumter County. Title was acquired as follows: Taken possession of about May 10, 1865; possession retained for National Cemetery purposes and land appraised, paid for and title confirmed in the United States under the provisions of "An act to establish and protect National Cemeteries," approved February 22, 1867.

Deed from Benjamin B. Dykes and wife, dated February 9, 1875, recorded in Clerk's Office of Superior Court in Deed Book Q, of the deed records of Sumter County.

Jurisdiction was ceded by an act of the State Legislature approved October 25, 1870, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the legislature of the State of Georgia is hereby granted to the acquisition, by the United States, by purchase or otherwise, of all that tract or portion of land lying and being in the sixteenth district and second section of Cobb County, containing twenty and one one-hundredth (20 and $\frac{1}{100}$) acres, one part being the south side of lot 1216, the other part being north parts of lot No. 1233 * * * and also, the additional tract or parcel of land containing four and eleven one-hundredths (4 and $\frac{11}{100}$) acres * * * on which said tract or parcel of land is located the National Cemetery at Marietta, in the county of Cobb, and State aforesaid; and also all that tract or parcel of land known and distinguished as lot number one hundred and eighty-one (181) in the twenty-ninth district of Sumter County, State aforesaid, containing two hundred and two and a half ($202\frac{1}{2}$) acres, more or less, and on which is located the National Cemetery at Andersonville, in said county and State, and that the jurisdiction over said tracts or parcels of land is hereby ceded to the United States: *Provided, however*, That nothing herein contained shall extend, or be construed to extend, so as to impede or prevent the execution of any process, civil or criminal, under the authority of this State."

AUGUSTA ARSENAL.

This reservation lies near the city of Augusta in Richmond County and contains an area of about 70 acres. The title is as follows:

Deed from Freeman Walker, dated November 9, 1826, conveying 70 acres, recorded in Deed Book T, folios 152 and 153, of the deed records of Richmond County.

For consent to the purchase and jurisdiction see act of the State Legislature approved December 26, 1826, which provides as follows:

"*Be it enacted, etc.*, That the consent of the legislature of the State of Georgia is hereby granted to a purchase which the United States have lately made from Freeman Walker, of a certain tract of land situated in the County of Richmond, about three miles above the City of Augusta, containing seventy acres, for a site for an arsenal and military establishment, * * * and that the jurisdiction over said tract is hereby ceded to the United States: *Provided, however*, That nothing herein contained shall extend, or be construed to extend, so as to impede or prevent the execution of any process, civil or criminal, under the authority of this State."

Revocable License: License, February 4, 1890, to the Village of Summerville to use a certain portion of the reservation for a public street.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK.

The park proper contains an area of 5,668 acres, more or less, and is situated in the counties of Walker and Catoosa, in the State of Georgia. Included in the Park reservation, but outside of the park proper, are the following, situated in Hamilton County, in the State of Tennessee, viz: Lookout Mountain, 82 acres; Orchard Knob, 7.04 acres; Bragg's Headquarters, 2.50 acres; De Long place, 5.25 acres, and Trueblood's, 50.00 acres. The lands were acquired for the establishment of the Park under the provisions of an Act of Congress approved August 19, 1890. (For additional Park legislation see Acts of Congress approved, March 3, 1891; August 5, 1892; March 3, 1893; October 2, 1893; August 18, 1894; December 15, 1894; March 2, 1895; June 11, 1896; February 26, 1896; May 15, 1896; March 3, 1897, and June 5, 1897.) The title to said several tracts is as follows:

GEORGIA—

1. Decree of condemnation for part of lot No. 118, in Ninth District, Fourth section, of Walker County, Ga., containing 141.3 acres, in case No. 157, The United States *v.* Stephens E. Kinsey, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

2. Decree of condemnation for part of Lot 118, in same District, Section, County and State, containing 16 acres, in case 158, The United States *v.* Mary L. Cline, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

3. Decree of condemnation for part of Lot 119, in same District, Section, County and State, containing 23.54 acres, in case 150, The

United States *v.* John W. Mullis, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891. See also Decree in same cause correcting mistake in name rendered March 30, 1892, in same office.

4. Decree of condemnation for part of Lot 119, in same District, Section, County and State, containing 132 acres; also part of Lot 120 in Ninth District, Fourth Section, of Catoosa County, containing 9.02 acres, in case No. 159, The United States *v.* George W. Mullis, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

5. Decree of condemnation for part of Lot 119, in Ninth District, of Fourth Section, Walker County, containing 9.21 acres; also part of Lot 120 in said District and Section of Catoosa County, Ga., containing 151 acres, in case No. 152, The United States *v.* George W. Kelley, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

6. Deed from George W. Kelley, dated February 10, 1892, conveying 151 acres of Lot 120, in Ninth District, Fourth Section of Catoosa County; also 9.21 acres in same district and section of Walker County, Ga. Recorded in Clerk's Office of Superior Court in Book H, page 422, of the deed records of Catoosa County.

7. Decree of condemnation for Lot 121, in the Ninth District, Fourth Section, of Catoosa County, Ga., containing 165 acres, in case No. 156, The United States *v.* Dyer Thomas, in the Circuit Court of the United States for the Northern District of Georgia. Appeal taken from award of Appraisers. Judgment and Decree entered June 14, 1893, and filed in Clerk's Office June 14, 1893.

8. Decree of condemnation for Lot 122, in the same District, Section, County and State, containing 92.63 acres, in case No. 137, The United States *v.* Wm. F. Conner and John Roark, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered January 6, 1893, and filed in the Clerk's Office January 6, 1893.

9. Deed from William F. Connor and John Roark, dated February 11, 1892, conveying part of Lot 122, in same district, Section, County and State, containing 72.5 acres, including equity in Reed's Bridge or Ringgold road, recorded in Clerk's Office of Superior Court, Book I, pages 42 and 43, of the deed records of Catoosa County.

10. Deed from William F. Conner and John Roark, dated February 11, 1893, conveying part of Lot 122, in same District, Section, County and State, containing 85.10 acres, recorded in the Clerk's Office of the Superior Court in Book I, pages 43 and 44, of the deed records of Catoosa County.

11. Decree of condemnation for part of Lot 130, in same District, Section, County and State, containing 123.13 acres, in case No. 167, The United States *v.* Augustus Peters, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892.

12. Decree of condemnation for part of Lot 130, in same District, Section, County and State, containing 40 acres, in case No. 168,

The United States *v.* Joseph Peters, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892.

13. Deed from Joseph Peters and Augustus Peters, dated February 13, 1892, conveying Lot 130, in same District, Section, County and State, containing 163.13 acres, recorded in the Clerk's Office of the Superior Court in Book H, page 448 of the deed records of Catoosa County.

14. Decree of condemnation for Lot 131, in same District, Section, County and State, containing 168.68 acres, in case No. 138, The United States *v.* Benjamin L. Carlock, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

15. Deed from Benjamin L. Carlock, dated February 10, 1892, conveying Lot 131, in same District, Section, County and State, containing 168.68 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 432, of the deed records of Catoosa County.

16. Decree of condemnation for Lot 132, in same District, Section, County and State, containing 164.90 acres, in case No. 139, The United States *v.* George A. Thomas et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

17. Deed from Georgia A. Thomas et al., dated February 12, 1892, conveying Lot 132, in same District, Section, County and State, containing 164.90 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 424, of the deed records of Catoosa County.

18. Decree of condemnation for Lot 133, in same District, Section, County and State, containing 165 acres, in case No. 133, The United States *v.* Joseph C. Kelley, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

19. Deed from Joseph C. Kelley, dated October 9, 1891, conveying Lot 133, in same District, Section, County and State, containing 165 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 412, of the deed records of Catoosa County.

20. Decree of condemnation for Lot 134, in Ninth District, Fourth Section, of Walker County, Ga., containing 174.80 acres, in case No. 135, The United States *v.* Samuel T. Osborn, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

21. Decree of condemnation for part of Lot 135 in same District, Section, County and State, containing 79.80 acres, in case No. 128, The United States *v.* Elizabeth C. Corbley, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

22. Decree of condemnation for part of Lot 135 in same District, Section, County and State, containing 87.08 acres, in case No. 129, The United States *v.* Milton Corbley, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

23. Deed from Milton, Richmond C., and Elizabeth C. Corbley, dated October 7, 1891, conveying Lot 135 in same District, Section, County and State, containing 167 acres, recorded in the Clerk's Office of the Superior Court, Book No. 7, pages 377 and 378, of the deed records of Walker County.

24. Decree of condemnation for part of Lot 154 in same District, Section, County and State, containing 97 acres, in case No. 134, The United States *v.* Mary J. Merciers et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

25. Decree of condemnation for part of Lot 155 in same District, Section, County and State, containing 14.9 acres, also for part of Lot 170 in same District, etc., containing 24⅓ acres, in case No. 130, The United States *v.* Lee H. Dyer in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

26. Decree of condemnation for part of Lot 155 in same District, Section, County and State, containing 150.2 acres, also for part of Lot 170 in same District, etc., containing 104⅓ acres, in case No. 131, The United States *v.* S. B. Dyer, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in Clerk's Office December 17, 1891.

27. Deed from Sillsbee Dyer et al., dated October 7, 1891, conveying Lot 155, containing 165 acres, and Lot 170, containing 178 acres, both in said same District, Section, County and State, recorded in the Clerk's Office of the Superior Court, Book No. 7, pages 375 to 377, of the deed records of Walker County.

28. Decree of condemnation for Lot 156, in Ninth District, Fourth Section of Catoosa County, Ga., containing 152.96 acres, in case No. 136, The United States *v.* I. W. McConnell and James W. Crouch, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

29. Decree of condemnation for part of Lot 157, in same District, Section, County and State, containing 121.25 acres, in case No. 140, The United States *v.* Mary Freeman, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in Clerk's Office December 17, 1891.

30. Deed from Mary V. Bird, formerly Mary V. Freeman, dated February 12, 1892, conveying part of Lot 157, containing 121.25 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 434, of the deed records of Catoosa County.

31. Decree of condemnation for part of Lot 157, in the same District, Section, County and State, containing 40 acres, in case No. 141, The United States *v.* A. C. Stone and J. M. Jones, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

32. Deed from Adrian C. Stone and James M. Jones, dated February 12, 1892, conveying part of Lot 157, in same District, Section, County and State, containing 40 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 426, of the deed records of Catoosa County.

33. Decree of condemnation for Lot 158, in the same District, Section, County and State, containing 163.56 acres, in case No. 142, The United States *v.* Don Cameron Reed, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

34. Deed from D. C. Reed, dated February 10, 1892, conveying Lot 158 in same District, Section, County and State, containing 163.56 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 431, of the deed records of Catoosa County.

35. Decree of condemnation for part of Lot 159 in same District, Section, County and State, containing 80.50 acres, in case No. 169, The United States *v.* Edgar L. Park, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892.

36. Deed from Edgar L. Park, dated February 10, 1892, conveying part of Lot 159 in same District, Section, County and State containing 80.50 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 452, of the deed records of Catoosa County.

37. Decree of condemnation for part of Lot 159 of the same District, Section, County and State, containing 80.50 acres, in case No. 171, The United States *v.* N. White Smith, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 10, 1892, and filed in the Clerk's Office February 10, 1892.

38. Deed from N. White Smith, dated February 10, 1892, conveying part of Lot 159 in same District, Section, County and State, containing 80.50 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 456, of the deed records of Catoosa County.

39. Decree of condemnation for part of Lot 167 in same District, Section, County and State, containing 37.05 acres, in case No. 151, The United States *v.* Joseph W. Osborn, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

40. Decree of condemnation for part of Lot 166, in same District, Section, County and State, containing 84.04 acres, in case No. 166, The United States *v.* Joseph W. Osborn in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 10, 1892, and filed in the Clerk's Office February 10, 1892.

41. Deed from Joseph W. Osborn, dated February 13, 1892, conveying part of Lot 167 in same District, Section, County and State, containing 37.50 acres, also part of Lot 166 same District, etc., containing 84.04 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 454, of the deed records of Catoosa County.

42. Decree of condemnation for part of Lot 167 in same District, Section, County and State, containing 78.41 acres, in case No. 144, The United States *v.* William F. Conner, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered January 6, 1893, and filed in the Clerk's Office January 6, 1893.

43. Deed from William F. Conner, dated March 27, 1893, conveying part of Lot 167 in same District, Section, County and State, containing 78.41 acres, recorded in the Clerk's Office of the Superior Court, Book I, pages 40–41, of the deed records of Catoosa County.

44. Decree of condemnation for part of Lot 167 in same District, Section, County and State, containing 49.8 acres, in case No. 143, The

United States *v.* John C. Speers, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

45. Deed from John C. Speers, dated February 10, 1892, conveying part of Lot 167 in same District, Section, County and State, containing 49.80 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 445, of the deed records of Catoosa County.

46. Decree of condemnation for Lot 168 in same District, Section, County and State, containing 163 acres, in case No. 145, The United States *v.* Geo. W. Brotherton et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 18, 1891. See also Decree in same cause amending former Decree, rendered May 3, 1892, and filed with original Decree.

47. Deed from James L. Brotherton et al., dated February 12, 1892, conveying Lot 168 in same District, Section, County and State, containing 163 acres. Recorded in Clerk's Office of the Superior Court, Book H, page 513, of the deed records of Catoosa County.

48. Quitclaim Deed from Wm. J. Brotherton, dated April 25, 1892, conveying Lot 168 of the same District, Section, County and State, containing 160 acres. Recorded in the Clerk's Office of the Superior Court, Book H, page 516, of the deed records of Catoosa County.

49. Decree of condemnation for Lot 169 in the same District, Section, County and State, containing 159.38 acres in case No. 127, The United States *v.* George W. Brotherton et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

50. Deed from James L. Brotherton et al., dated October 9, 1891, conveying Lot 169 in the same District, Section, County and State, containing 160 acres. Recorded in the Clerk's Office of the Superior Court, Book H, page 410, of the deed records of Catoosa County.

51. Decree of condemnation for part of Lot 170 in the Ninth District, Fourth Section of Walker County Ga., containing 49⅓ acres, in case No. 132, The United States *v.* William M. Ireland, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

52. Deed from Charles J. Osburn, dated June 25, 1892, conveying part of Lot 171 in same District, Section, County and State, containing 8 acres and reversionary interest in right of way occupied by Chattanooga, Rome and Columbus Railroad. Recorded in Clerk's Office of Superior Court, Book No. 8, pages 358 and 359, of the deed records of Walker County.

53. Deed from Julia A. Rush, dated May 25, 1892, conveying part of Lot 171, same District, Section, County and State, containing 6.93 acres less a right of way granted to the Chattanooga, Rome and Columbus Railroad Company, 60 feet wide and 671 feet long, also conveys reversionary interest in said right of way. Recorded in the Clerk's Office of the Superior Court, Book No. 8, pages 356 to 358, of the deed records of Walker County.

54. Deed from W. M. Weathers, dated October 8, 1892, conveying part of Lot 171 of the same District, Section, County and State, containing 20,600 square feet, known as Lot 1, Battlefield Station.

Recorded in the Clerk's Office of the Superior Court, Book No. 8, pages 413 and 414, of the deed records of Walker County.

55. Decree of condemnation for part of Lot 191 in same District, Section, County and State, containing 3.9 acres; also part of Lot 190, same District, etc., containing 0.93 acre, in case No. 174, The United States *v.* Mary Weathers, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 10, 1892, and filed in the Clerk's Office February 10, 1892. See also Decree in same case amending former Decree, rendered May 3, 1892, and filed with original decree.

56. Decree of condemnation for part of Lot 191 in same District, Section, County and State, containing 185 acres, case No. 155, The United States *v.* George W. Brotherton, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

57. Deed from George W. Brotherton, dated February 10, 1892, conveying part of Lot 191, in same District, Section, County and State, containing 185 acres, and also his reversionary interest in the land occupied by the Chattanooga, Rome and Columbus Railroad. Recorded in the Clerk's Office of the Superior Court, Book No. 8, pages 274 and 275, of the deed records of Walker County.

58. Decree of condemnation for Lot 192 in Ninth District, Fourth Section of Catoosa County, Ga., containing 173.80 acres, in case No. 162, The United States *v.* J. A. Gross et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892.

59. Decree of condemnation for Lot 193 in same District, Section, County and State, containing 183.31 acres, in case No. 149, The United States *v.* Sarah E. Case et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

60. Deed from Frank P. Case et al., dated February 10, 1892, conveying Lot 193 in same District, Section, County and State, containing 183.31 acres. Recorded in Clerk's Office of the Superior Court, Book H, page 443, of the deed records of Catoosa County.

61. Deed from James C. Gordon, dated February 10, 1892, conveying Lot 193 in same District, Section, County and State, including "all interest," etc. Recorded in the Clerk's Office of the Superior Court, Book H, page 447, of the deed records of Catoosa County.

62. Decree of condemnation for Lot 194 in same District, Section, County and State, containing 170 acres, in case No. 148, The United States *v.* James C. Gordon, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 17, 1891, and filed in the Clerk's Office December 17, 1891.

63. Decree of condemnation for part of Lot 195, in same District, Section, County and State, containing 135.91 acres; also part of Lot 166 in same District, etc., containing 82 acres; also part of Lot 203 in same District, etc., containing 92 acres, in case No. 163, The United States *v.* James C. Gordon, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892. See also agreement between J. C. Gordon and U. S. Agent

filed in said cause reserving creek and water power, etc., dated November 25, 1891.

64. Deed from James C. Gordon, dated August 2, 1892, conveying part of Lot 194, in same District, Section, County and State, containing 170 acres; also part of Lot 195, in same District, etc., containing 135.91 acres; also part of Lot 203, in same District, etc., containing 92 acres; also part of Lot 166, in same District, etc., containing 82 acres. Recorded in the Clerk's Office of the Superior Court, Book H, page 524, of the deed records of Catoosa County.

65. Decree of condemnation for part of Lot 204 in same District, Section, County and State, containing 79.23 acres, in case No. 172, The United States *v.* Caroline Thedford et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 12, 1892, and filed in the Clerk's Office February 12, 1892. See also Decree in the same case amending former Decree, rendered May 3, 1892, and filed with original decree.

66. Decree of condemnation for part of Lot 205 in same District, Section, County and State, containing 0.38 acre, in case No. 160, The United States *v.* The Crawfish Springs Land Company, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

67. Decree of condemnation for part of Lot 205 in same District, Section, County and State, containing 76.55 acres, in case No. 146, The United States *v.* Samuel W. Devine, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered May 21, 1892, and filed in the Clerk's Office May 21, 1892.

68. Deed from Samuel W. Devine, dated March 14, 1892, conveying part of Lot 205 in said District, Section, County and State, containing 76.55 acres. Recorded in the Clerk's Office of the Superior Court, Book H, page 518, of the deed records of Catoosa County.

69. Decree of condemnation for part of Lot 206 in Ninth District, Fourth Section of Walker County, Ga., containing 80.72 acres, in case No. 154, The United States *v.* James R. Horton, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 18, 1891, and filed in the Clerk's Office December 18, 1891.

70. Deed from James R. Horton, dated April 16, 1892, conveying part of Lot 206 in same District, Section, County and State, containing 79.72 acres. Recorded in the Clerk's Office of the Superior Court, Book No. 8, pages 276 and 277, of the deed records of Walker County.

71. Decree of condemnation for part of Lot 206, in same District, Section, County and State, containing 10 acres, in case No. 175, The United States *v.* Mary Weathers et al. in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 12, 1892, and filed in Clerk's Office February 12, 1892.

72. Decree of condemnation for part of Lot 206, in same District, Section, County and State, containing 80.72 acres, in case No. 153, The United States *v.* W. M. Ireland, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered December 16, 1891, and filed in the Clerk's Office December 16, 1891.

73. Deed from W. M. Ireland, dated February 10, 1892, conveying part of Lot 206, of the same District, Section, County and State, con-

taining 80.72 acres, recorded in the Clerk's Office of the Superior Court, Book No. 8, pages 162 and 163, of the Deed records of Walker County.

74. Decree of condemnation for part of Lot 227, in same District, Section, County and State, and part of Lot 228, in same District and Section of Catoosa County, Ga., containing 57 acres, in case No. 161, The United States *v.* The Crawfish Springs Land Co., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892. See also Decree in same case amending former Decree, rendered March 30, 1892, and filed with original Decree.

75. Decree of condemnation for part of Lot 205, in Ninth District, Fourth Section of Catoosa County, Ga., containing 76.17 acres; also part of Lot 228 in same District, etc., containing 37 acres, in consolidated cases Nos. 147 and 170, The United States *v.* Joseph T. Scott et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered June 23, 1893, and filed in the Clerk's Office June 23, 1893.

76. Decree of condemnation for part of Lot 229, of the same District, Section, County and State, containing 90.50 acres, in case No. 173, The United States *v.* Samuel Hall et al., in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 12, 1892, and filed in the Clerk's Office February 12, 1892. See also Decree in same case amending former Decree, rendered May 3, 1892, and filed with original Decree.

77. Decree of condemnation for part of Lot 230, in same District, Section, County and State, containing 155.54 acres, in case No. 164, The United States *v.* Jeptha F. Hunt, in the Circuit Court of the United States for the Northern District of Georgia. Decree rendered February 11, 1892, and filed in the Clerk's Office February 11, 1892.

78. Deed from Jeptha F. Hunt, dated February 27, 1892, conveying part of Lot 230, in same District, Section, County and State, containing 155.54 acres, recorded in the Clerk's Office of the Superior Court, Book H, page 441, of the deed records of Catoosa County.

79. Deed from M. M. Church and Leon A. Camp, dated May 11, 1898, conveying Lot 94, in the Ninth District and Fourth Section of Catoosa County, containing 160 acres. Deed recorded in the Clerk's Office of the Superior Court in Book J, pages 61 and 62, of the deed records of Catoosa County.

80. Deed from Caroline M. Braden, dated May 16, 1898, conveying a part of Lot 171, in the Ninth District, Fourth Section of Walker County, containing one-third of an acre. Deed recorded in Clerk's Office of the Superior Court, in Deed Record 12, on pages 423 and 424, of the records of Walker County.

(See Fort Oglethorpe, page 75 *post.*)

80a. Deed from Sarah E. and Joseph N. Wilson, dated August 18, 1902, conveying a portion of Lot 85, containing 32.50 acres; and a portion of Lot 96, containing 64.91 acres, situated in the Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 140–142, of the records of said county.

80b. Deed from Martha A. Ward and Hariet E. Wilson, dated August 5, 1902, conveying a portion of Lot 96, containing 69.83 acres, situated in the Ninth District, Fourth Section of Catoosa County;

deed recorded in Deed Book K, page 149, of the records of said county.

80c. Deed from Elizabeth Cannon and Thomas Cannon, her husband, dated August 8, 1902, conveying a portion of Lot 96, containing 20 acres, situated in the Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 150–151, of the records of said county.

80d. Deed from George W. Schmitt and Bell Schmitt, his wife, dated August 2, 1902, conveying a portion of Lot 85, containing 17 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Book K, page 139, of the records of said county.

80e. Deed from Thomas Tallent and Sarah Tallent, his wife, dated August 5, 1902, conveying a portion of Lot 85, containing 9 acres; and a portion of Lot 84, containing approximately one-tenth of an acre, situated in the Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 137–138, of the records of said county.

80f. Deed from Adelphia Barringer, dated July 28, 1902, conveying a portion of Lot 84, containing 1.24 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 142–143, of the records of said county.

80g. Deed from Joseph B. Dixon and Sarah M. Dixon, his wife, dated August 7th, 1902, conveying a portion of Lot 97, containing 124.69 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 128–129, of the records of said county.

80h. Deed from John Quincy Adams and Laura R. Adams, his wife, dated August 13, 1902, conveying a portion of Lot 97, containing 20.54 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 130–131, of the records of said county.

80i. Deed from Macklena Flock, dated August 8, 1902, conveying a portion of Lot 97, containing 6 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 131–132, of the records of said county.

80k. Deed from Samuel W. Divine, dated August 5, 1902, conveying a portion of Lot 98, containing 32.8 acres, situated in Ninth District, Fourth Section of Walker County; deed recorded in Book 15 of Deeds, page 522, of the records of said county.

80l. Deed from Laura A. Howell, guardian for A. B. Howell, a lunatic, dated February 3, 1903, conveying a portion of Lot 83, containing 108.1 acres, situated in Ninth District, Fourth Section of Walker County; deed recorded in Book 16 of Deeds, page 196, of the records of said county.

80m. Deed from Mrs. Mary A. Scott, et al., dated May 19, 1903, conveying a portion of Lot 85, containing 115.46 acres; and a portion of Lot 84, containing 37.99 acres; and a portion of Lot 84, containing 15.05 acres; situated in the Ninth District, Fourth Section of Catoosa County; deed recorded in Deed Book K, pages 251–255, of the records of said county. The conveyance of the tract of 37.99 acres in Lot 84, is made subject " to the interest conveyed by deed from John H. Scott, deceased, to G. W. Kelley, et al., trustees, dated December 14, 1883, recorded in Book F, page 170, in the land records of Catoosa County, in a tract of two acres, more or less, in the south-

west corner of the parcel of land herein conveyed". (For extinguishment of this claim see "80n" infra.)

80n. Deed from Lee Fossett, et al., trustees of the Cloud Spring Missionary Baptist Church, dated December 4, 1902, conveying to the United States all the right, title and interest of said Church, or themselves, as said trustees, to the right of way in the grant from W. H. Hargrave and John H. Scott, dated December 12, 1883; as well as to the tract of land mentioned in the grant from John H. Scott, dated December 14, 1883; referred to in "80m" supra. Deed recorded in Book K, pages 431–438, of the records of said county.

80o. Deed from W. H. Hargrave and Birdie L. Bennett née Hargrave, dated August 14, 1902, conveying a portion of Lot 84, containing 95.45 acres, and a portion of Lot 84, containing 30.06 acres, situated in Ninth District, Fourth Section of Catoosa County; deed recorded in Book K, pages 672–675, of the records of said county.

80p. Deed from same parties, dated September 26, 1902, correcting error in description of first parcel in preceding deed (80o); deed recorded in Book K, pages 668–671, records of Catoosa County, Georgia.

TENNESSEE—

81. Deed from J. J. Myers and wife, dated April 5, 1893, conveying an undivided half interest in $3\frac{2}{3}$ acres, in Hamilton County, Tenn. (Orchard Knob.) Deed and Plat entered in Notebook No. 7, page 527, and recorded in Book M, Vol. 5, page 15, et seq., of the deed records of Hamilton County.

82. Deed from the McCallie Avenue Land and Improvement Company, dated April 6, 1893, conveying 3.7 acres, in Hamilton County, Tenn. (Orchard Knob.) Deed and Plat entered in Notebook No. 7, page 527, and recorded in Book M, Vol. 5, page 18 et seq., of same records.

83. Deed from Mary Anderson et al., dated April 20, 1893, conveying an undivided interest in $3\frac{2}{3}$ acres, in Hamilton County, Tenn. (Orchard Knob.) Deed and Plat entered in Notebook No. 7, page 527, and recorded in Book M, Vol. 5, page 11 et seq., of same records.

84. Deed from The Bragg Hill Land Company, dated March 16, 1893, conveying about 2.50 acres, therein described, in Hamilton County, Tenn. (Bragg's Headquarters.) Deed and Plat entered in Notebook No. 7, page 477, and recorded in Book K, Vol. 5, page 28 et seq., of same records.

85. Deed from Kate M. James et al., dated December 19, 1892, conveying 5.25 acres therein described, in Hamilton County, Tenn. (De Long Place, Missionary Ridge.) Deed and Plat entered in Notebook No. 7, page 397, and recorded in Book G, Vol. 5, page 73 et seq., of same records.

86. Deed from Jesse D. Trueblood and wife, dated December 8, 1894, conveying 17.70 acres, excepting Lots 5, 6, 62 and 63, therein described, in Hamilton County, Tenn. (Trueblood's.) Deed, etc., entered in Notebook No. 8, page 190, and recorded in Book X, Vol. 5, page 322 et seq., of same records.

87. Deed from C. A. Crow and wife, dated November 21, 1894, conveying 12 acres in Hamilton County, Tenn. Deed, etc., entered in Notebook No. 8, page 166, and recorded in Book X, Vol. 5, page 54 et seq., of same records. (See 96 infra.)

88. Deed from Philomene P. Myer, dated November 26, 1894, conveying Lots 5 and 6 in Trueblood's subdivision of Sherman Heights, in Hamilton County, Tenn. Deed, etc., entered in Notebook No. 8, page 203, and recorded in Book X, Vol. 5, page 464 et seq., of same records.

89. Deed from the Covenant Building and Loan Association, dated March 5, 1905, conveying Lots 62 and 63, in Trueblood's subdivision, etc., Hamilton County, Tenn. Deed, etc., entered in Notebook No. 8, p. 203, and recorded in Book X, Vol. 5, page 466 et seq., of same records. (See 97 infra.)

90. Deed from John A. Moon and wife, dated November 22, 1894, conveying about 15.75 acres on Missionary Ridge, in Hamilton County, Tenn. Deed, etc., entered in Notebook No. 8, page 166, and recorded in Book X, Vol. 5, page 51 et seq., of same records.

91. Deed from Mrs. N. J. McMillin, dated September 4, 1896, conveying 35.8 acres of land; also right of way over the land held as an easement; and also all interest in lands lying between the Chattanooga and Lookout Mountain Railway and the base of the west bluff of Lookout Mountain, in Hamilton County, Tenn. Deed entered in Notebook No. 8, page 369, and recorded in Book F, Vol. 6, page 712 et seq., of same records.

92. Deed from W. G. E. Cunnyngham and wife et al., dated September 4, 1896, conveying 46.26 acres of land in the Seventeenth District of Hamilton County, Tenn. Deed entered in Notebook No. 8, page 384, and recorded in Book H, Vol. 6, page 339 et seq., of same records.

93. Deed from E. W. Wallace and wife, dated December 21, 1896, conveying 144,000 square feet of land in the Seventeenth District of Hamilton County, Tenn. Deed entered in Notebook No. 8, page 384, and recorded in Book H, Vol. 6, page 338 et seq., of same records.

94. Deed from Elmer J. Smart et al., trustees, dated July 15, 1898, conveying certain land therein described. Deed recorded in Book O, Vol. 6, page 471 et seq., of same records.

95. Deed from T. G. Barnhill and wife, dated July 24th 1899, conveying 2.7 acres, more or less, in the Sixth Civil District of Hamilton County. Deed entered in Note Book No. 9, Page 150, and recorder in Book U, Volume 6, page 9 et seq., of same records.

96. Deed from C. A. Crow, dated February 5, 1900, conveying the 12 acres mentioned in deed 87 of this book; deed being to correct error in instrument dated November 21, 1894. Entered in Note Book No. 9, page 190, and recorded in Book V, Volume 6, page 452 et seq., of same records.

97. Deed from Mrs. N. J. McMillin, dated March 16, 1900, conveying one-twentieth of an acre, more or less, to correct error in deed number 89, this book. Deed entered in Note Book No. 9, page 209, and recorded in Book V, volume 6, page 676, of same records.

97a. Deed from Daniel Butterfield and wife, dated April 25, 1900, conveying, at the request of the Governor of the State of New York, four parcels of land, containing, respectively, nearly one acre, 0.175 acre, 0.175 acre, and about one-tenth acre, in Hamilton County, Tenn.; deed recorded in Book E, volume 8, page 330 et seq., of same records.

97b. Deed from the Seventy-third Regiment Pennsylvania Veteran Volunteer Asociation, by Hugh Kennedy and William Fees,

attorneys specially authorized for the purpose, dated November 14, 1905, site in the village of Sherman Heights, Hamilton County, Tenn., upon which to erect the monument of said Association. Deed recorded in Book J, volume 8, page 96 et seq., of same records.

ROADWAYS—

The following deeds convey the title to certain tracts acquired for roadway purposes:

Ringgold Road. This road extends from the eastern boundary of the Park to the New York Monument in Ringgold Park.

98. Deed from John S. Love et al., dated August 19, 1896, and recorded in Book J, Page 356, of the records of Catoosa County.

99. Deed from J. P. Speer et al., dated September 1, 1896, and recorded in Book J, Page 350, of same records.

100. Deed from J. J. Reed et al., dated ———, —, 1896, and recorded in Book J, Pages 484 to 486, of same records.

101. Deed from J. S. Love et al., dated September 1, 1896, and recorded in Book J, Page 368, of same records.

102. Deed from W. H. Albright et al., dated September 1, 1896, and recorded in Book J, Pages 458 to 461, of same records.

103. Deed from G. E. D. Russell et al., dated September 1, 1896, and recorded in Book J, Pages 461 to 463, of same records.

104. Deed from W. T. Park et al., dated September 1, 1896, and recorded in Book J, Page 398, of same records.

105. Deed from L. L. and C. P. Hitt, dated September 1, 1896, and recorded in Book J, Pages 340 to 344, of same records.

106. Deed from W. T. Park, dated September 1, 1896, and recorded in Book J, Page 378, of same records.

107. Deed from F. M. Powell, dated September 1, 1896, and recorded in Book J, Page 360, of same records.

108. Deed from T. E. Anderson et al., dated September 1, 1896, and recorded in Book J, Pages 343 and 344, of same records.

109. Deed from J. T. Robinson et al., dated September 1, 1896, and recorded in Book J, Page 364, of same records.

110. Deed from Jacob R. Peters, dated September 15, 1896, and recorded in Book J, Page 381, of same records.

111. Deed from J. J. Reed, dated September 15, 1896, and recorded in Book J, Page 375, of same records.

112. Deed from Helen McDaniell, dated August 17, 1897, and recorded in Book J, Page 365, of same records.

113. Deed from the Commissioners Town of Ringgold, dated June 28, 1899, and recorded in Book J, Page 346, of same records.

114. Deed from W. I. Jobe et al., dated August 14, 1899, and recorded in Book J, Page 373, of same records.

115. Deed from J. W. Cavender, dated August 31, 1899, and recorded in Book J, Page 354, of same records.

116. Deed from A. P. Yates et al., dated September 23, 1899, and recorded in Book J, Page 370, of same records.

Reeds Bridge Road. This road extends from the La Fayette Road to the eastern boundary of the Park near Jays Mill.

117. Deed from Jesse B. Beaver, dated December 28, 1900, and recorded in Book J, Page 591, of the records of Catoosa County.

118. Deed from Martha A. Ward et al., dated September 13, 1901, and recorded in Book J, Pages 713 and 714, of same records.

119. Deed from Jos. B. Dixon, dated October 7, 1901, and recorded in Book J, Pages 730 and 731, of same records.

120. Deed from C. R. Love, dated October 12, 1901, and recorded in Book J, Pages 739 and 740, of same records.

Reeds Bridge Road Extension. This road extends from La Fayette Road to the Rapid Transit Railroad Terminus.

121. Deed from the Rapid Transit Company of Chattanooga, dated March 15, 1901, and recorded in Book 14, Page 563, of the records of Walker County.

Rossville and Vittetoe (Dry Valley) Road. This road is one of the approaches to the Park, and the deeds cover the right of way between the La Fayette Road at Rossville and junction of the "Mullis-McFarland Gap Road" at the Murdock trestle, in the heart of McFarland Gap.

122. Deed from H. T. Olmstead, dated March 26, 1902, and recorded in Book 15, Page 393, of same records.

123. Deed from Mrs. M. H. Gibson, dated March 28, 1902, and recorded in Book 15, Page 394, of same records.

124. Deed from John M. McFarland, dated March 29, 1902, and recorded in Book 15, Page 395, of same records.

125. Deed from T. F. McFarland, dated March 29, 1902, and recorded in Book 15, Page 387, of same records.

126. Deed from I. M. Flegal, dated March 29, 1902, and recorded in Book 15, Page 406, of same records.

127. Deed from Wiley Wall, dated March 29, 1902, and recorded in Book 15, Page 397, of same records.

128. Deed from C. A. Siekenknecht, dated March 29, 1902, and recorded in Book 15, Page 393, of same records.

129. Deed from George Usmiller, dated March 29, 1902, and recorded in Book 15, Page 401, of same records.

130. Deed from R. B. Stegall, dated March 29, 1902, and recorded in Book 15, Page 398, of same records.

131. Deed from John C. Schmitt, dated April 1, 1902, and recorded in Book 15, Page 396, of same records.

132. Deed from J. A. McFarland, dated April 2, 1902, and recorded in Book 15, Page 399, of same records.

133. Deed from Mrs. A. E. Morrison, dated April 2, 1902, and recorded in Book 15, Page 404, of same records.

134. Deed from J. R. Conley, dated April 14, 1902, and recorded in Book 15, Page 391, of same records.

135. Deed from J. R. McFarland, dated April 16, 1902, and recorded in Book 15, Page 387, of same records.

136. Deed from James R. McFarland, dated April 16, 1902, and recorded in Book 15, Page 404, of same records.

137. Deed from J. R. McFarland, dated April 16, 1902, and recorded in Book 15, Page 402, of same records.

138. Deed from T. E. Waters, dated April 28, 1902, and recorded in Book 15, Page 401, of same records.

139. Deed from Mrs. M. M. Thomas, dated April 29, 1902, and recorded in Book 15, Page 395, of same records.

140. Deed from E. W. Royce, dated April 29, 1902, and recorded in Book 15, Page 403, of same records.

141. Deed from E. C. Blighton and wife, dated May 9, 1902, and recorded in Book 15, Page 400, of same records.

142. Deed from the Chickamauga Cement Company, dated May 14, 1902, and recorded in Book 15, Page 405, of same records.

143. Deed from John M. McFarland, dated July 21, 1902, and recorded in Book 15, Page 465, of same records.

Dry Valley and Crawfish Springs Road. This road is one of the approaches to the Park and reaches from McFarland Gap to the intersection of the "Lee and Gordon Mills Road." While completing inclosure around the Park, some right of way was required for this road in order to place the fence along its western boundary, provided by law. This necessitated limited construction work, and the right of way deeds inclosed were obtained for that purpose.

144. Deed from Amanda E. Smith and husband, dated March 21, 1902, and recorded in Book 15, Page 408, of the records of Walker County.

145. Deed from Miles Weathers, dated December 16, 1902, and recorded in Book 15, Page 198, of same records.

Glass Mill Road. This road from Crawfish Springs to Glass Mill is one of the approaches to the Park.

146. Deed from J. T. Glass, administrator, etc., and R. C. Stotts, dated August 14, 1901, and recorded in Book 15, Page 116, of the records of Walker County.

147. Deed from J. J. Davis, dated August 14, 1901, and recorded in Book 15, Page 112, of same records.

148. Deed from Pattsy P. Shaver and Sarah E. Bowman, dated August 14, 1901, and recorded in Book 15, Page 114, of same records.

149. Deed from D. G. Elder, dated November 15, 1901, and recorded in Book 15, Page 171, of same records.

150. Deed from Gordon Lee et al., dated November 20, 1901, and recorded in Book 15, Page 178, of same records.

151. Deed from the Board of Mayor and Aldermen of the city of Chickamauga, dated April 25, 1902, and recorded in Book 15, Page 439, of same records.

Lafayette Extension Road. This road extends from Lee and Gordon's Mill to the Corporation line.

152. Deed from Mrs. T. H. Hunt, dated August 6, 1896, and recorded in Book I, Pages 681 and 682, of the records of Catoosa County.

153. Deed from Harrison Goree and J. C. Wardlaw, dated August 2, 1897, and recorded in Book 13, Page 93, of the records of Walker County.

154. Deed from J. B. Wheeler Estate, dated August 5, 1897, and recorded in Book 13, Pages 100 and 101, of same records.

155. Deed from Mrs. Laura G. Snow, dated August 5, 1897, and recorded in Book 13, Page 73, of same records.

156. Deed from S. M. Warthen, administrator etc., dated August 5, 1897, and recorded in Book 15, Page 432, of same records.

157. Deed from Benjamin L. Chastain Sr. and W. H. Neely, dated August 5, 1897, and recorded in Book 13, Page 116, of same records.

158. Deed from The Joseph Henderson Estate, dated August 6, 1897, and recorded in Book I, Page 684, of the records of Catoosa County.

159. Deed from Mary A. Jones, dated August 6, 1897, and recorded in Book 12, Page 322, of the records of Walker County.

160. Deed from Daniel Bolton, dated August 6, 1897, and recorded in Book 12, Pages 326 and 327, of same records.

161. Deed from Mrs. L. A. Neyman, dated August 14, 1897, and recorded in Book 13, Page 63, of the same records.

162. Deed from Mrs. E. J. Catlett, dated August 14, 1897, and recorded in Book 13, Page 64, of same records.

163. Deed from William Nave, dated August 14, 1897, and recorded in Book 13, Page 61, of same records.

164. Deed from J. F. Catlett, dated August 14, 1897, and recorded in Book 13, Page 97, of same records.

165. Deed from John B. Henderson, dated August 16, 1897, and recorded in Book I, Pages 690 to 692, of the records of Catoosa County.

166. Deed from Joel J. Jones, dated August 16, 1897, and recorded in Book 12, Pages 323 and 324, of the records of Walker County.

167. Deed from Absalom N. Reichard, dated August 16, 1897, and recorded in Book 12, Pages 328 and 329, of same records.

168. Deed from A. P. Warrenfells, dated August 17, 1897, and recorded in Book 13, Page 70, of same records.

169. Deed from John R. Tyner, dated August 18, 1897, and recorded in Book 13, Page 55, of same records.

170. Deed from John R. Tyner, dated August 18, 1897, and recorded in Book 13, Page 59, of same records.

171. Deed from D. M. Carroll, dated August 18, 1897, and recorded in Book 13, Page 57, of same records.

172. Deed from J. C. Knox, dated August 18, 1897, and recorded in Book 13, Page 78, of same records.

173. Deed from R. O. Rogers, dated August 18, 1897, and recorded in Book 13, Page 75, of same records.

174. Deed from J. M. Shields Jr., dated August 19, 1897, and recorded in Book 13, Page 85, of same records.

175. Deed from J. W. Keys, dated August 19, 1897, and recorded in Book 13, Page 58, of same records.

176. Deed from William Glass, dated August 19, 1897, and recorded in Book 13, Page 62, of same records.

177. Deed from William Glass, dated August 19, 1897, and recorded in Book 13, Page 88, of same records.

178. Deed from John R. Tyner, dated August 20, 1897, and recorded in Book 13, Page 80, of same records.

179. Deed from William Nave, dated August 20, 1897, and recorded in Book 13, Page 81, of same records.

180. Deed from Mrs. S. A. Warthen, dated August 21, 1897, and recorded in Book 13, Page 76, of same records.

181. Deed from Mrs. S. A. Warthen, dated August 21, 1897, and recorded in Book 13, Page 92, of same records.

182. Deed from Mrs. Alice A. Deck, dated August 23, 1897, and recorded in Book 12, Page 330, of same records.

183. Deed from Mrs. Alice A. Deck, dated August 23, 1897, and recorded in Book 12, Page 332, of same records.

184. Deed from Oliver P. Fouts, dated August 24, 1898, and recorded in Book 13, Page 42, of same records.

185. Deed from J. T. Warrenfells, dated August 24, 1897, and recorded in Book 13, Page 69, of same records.

186. Deed from D. T. Scoggins, dated August 25, 1897, and recorded in Book 13, Page 95, of same records.

187. Deed from the J. B. Wheeler Estate, dated August 25, 1897, and recorded in Book 13, Page 99, of same records.

188. Deed from Willis Jones and Rees Jones, agents etc., dated August 28, 1897, and recorded in Book 13, Page 53, of same records.

189. Deed from Mary A. Jones, dated August 30, 1897, and recorded in Book I, Pages 687 and 688, of the records of Catoosa County.

190. Deed from William Ball, dated August 30, 1897, and recorded in Book 13, Page 114, of the records of Walker County.

191. Deed from Joseph Deck, dated September 2, 1897, and recorded in Book 13, Page 49, of same records.

192. Deed from Gordon Lee et al., dated September 20, 1897, and recorded in Book 12, Pages 319 to 321, of same records.

193. Deed from C. L. Johnston, dated September 30, 1897, and recorded in Book 13, Page 77, of same records.

194. Deed from R. C. Jones, dated October 12, 1897, and recorded in Book 13, Page 86, same records.

195. Deed from John H. Moreland, dated October 15, 1897, and recorded in Book 13, Page 90, of same records.

196. Deed from R. E. Neely, dated October 15, 1897, and recorded in Book 13, Page 154, of same records.

197. Deed from B. F. Neely, dated October 19, 1897, and recorded in Book 13, Page 153, of same records.

198. Deed from T. J. Alsobrook, dated October 25, 1897, and recorded in Book 14, Page 395, of same records.

199. Deed from J. M. Shields Sr., dated October 25, 1897, and recorded in Book 13, Page 47, of same records.

200. Deed from W. S. Renfro, dated December 14, 1897, and recorded in Book 13, Page 67, of same records.

201. Deed from S. A. Rice, dated April 21, 1898, and recorded in Book 13, Page 45, of same records.

202. Deed from J. M. Wellborn Sr., dated April 21, 1898, and recorded in Book 13, Page 83, of same records.

203. Deed from Joseph Deck, dated March 21, 1899, and recorded in Book 13, Page 50, of same records.

204. Deed from Martha Rogers, dated March 25, 1899, and recorded in Book 13, Page 52, of same records.

205. Deed from Andrew E. Rogers Jr., dated November 17, 1900, and recorded in Book 14, Page 389, of same records.

206. Deed from Daniel Bolton, Guardian etc., dated November 22, 1900, and recorded in Book 14, Page 390, of same records.

207. Deed from Alfred Jones, dated January 7, 1901, and recorded in Book 14, Page 388, of same records.

Mullis and McFarland Gap Road. This road begins at the "Mullis Road" near the Mullis House, and extends to a junction with the "Rossville-McFarland Road" in McFarland's Gap.

208. Deed from John Vails, dated June 18, 1903, and recorded in Book 16, Page 369, of the records of Walker County.

209. Deed from Archer Dailey, dated June 19, 1903, and recorded in Book 16, Page 372, of same records.

210. Deed from James R. McFarland et al., dated June 24, 1903, and recorded in Book 16, Page 382, of same records.

211. Deed from James R. McFarland, dated June 24, 1903, and recorded in Book 16, Page 376, of same records.

212. Deed from W. C. Ward, dated June 25, 1903, and recorded in Book 16, Page 372, of same records.

213. Deed from W. M. Smith, dated June 25, 1903, and recorded in Book 16, Page 374, of same records.

214. Deed from Caroline Goodlet, dated July 8, 1903, and recorded in Book 16, Page 381, of same records.

215. Deed from Mrs. Alice A. Cooper and Mrs. Mary Murdock, dated July 10, 1903, and recorded in Book 16, Page 379, of same records.

216. Deed from Rose Schneitman, dated July 13, 1903, and recorded in Book 16, Page 375, of same records.

217. Deed from Harry R. McClelland and wife, dated October 7, 1903, and recorded in Book 16, Page 466, of same records.

Jays Mill Road, at its junction with the " Ringgold Road " at the eastern Park boundary.

218. Deed from Jacob R. Peters, dated January 31, 1901, and recorded in Book J, Pages 600 to 602, of the records of Catoosa County.

Alexanders Bridge Site. For abutment and approach.

219. Deed from James C. Gordon, dated June 12, 1897, and recorded in Book J, Pages 154 and 155, of the records of Catoosa County.

Chickamauga-Vittetoe Road. This road extends from southern boundary of the Park to and through Crittendon Avenue to 10th Street, and along 10th Street to railroad crossing.

220. Deed from the Chickamauga Coal and Iron Company and the Estate of J. M. Lee, dated November 21, 1893, and recorded in Book 13, Pages 514 to 516, of the records of Walker County.

La Fayette Road. Deeds for land for the purpose of widening road, built on land received from the State by cession of its rights, between the original Park boundary at Dixon's and the Tennessee State line at Rossville.

221. Deed from Evan Williams and wife, dated March 19, 1901, and recorded in Book J, Page 621, of the records of Catoosa County.

222. Deed from Mrs. Martha Harrison and Carrie Harrison, dated March 19, 1901, and recorded in Book J, Page 623, of same records.

223. Deed from Fielding Foster and wife, dated March 19, 1901, and recorded in Book J, Page 620, of same records.

224. Deed from J. M. Hinnard, dated March 19, 1901, and recorded in Book J, Page 622, of same records.

225. Deed from T. F. McFarland, dated March 20, 1901, and recorded in Book 14, Page 494, of the records of Walker County.

226. Deed from W. H. Jones, dated March 22, 1901, and recorded in Book J, Page 632, of the records of Catoosa County.

227. Deed from J. R. Jones, Administrator etc., dated March 22, 1901, and recorded in Book J, Page 624, of same records.

228. Deed from J. M. McFarland, dated March 25, 1901, and recorded in Book 14, Page 508, of the records of Walker County.

229. Deed from D. D. Shields and wife, dated August 22, 1902, and recorded in Book 15, Page 515, of same records.

230. Deed from John M. McFarland, dated February 28, 1903, and recorded in Book 16, Page 116, of same records.

231. Deed from James Morrison and Mrs. A. E. Morrison, dated March 27, 1903, and recorded in Book 16, Page 118, of same records.

232. Deed from James Morrison and wife, dated March 27, 1903, and recorded in Book 16, Page 121, of same records.

232-a. Deed from C. E. Stevens, dated February 14, 1905; recorded in Book No. 17 of Deeds, on pages 392, *et seq.*, of same records.

Orchard Knob Street.

233. Deed from the McCallie Ave. Land and Improvement Company, dated June 1, 1895, and recorded in Book Z, Vol. 6, Pages 503 et seq. of the records of Hamilton County.

234. Deed from W. J. Clift et al., dated August 23, 1895, and recorded in Book Z, Vol. 6, Page 505 et seq., of same records.

235. Resolution of Hamilton County Court, October 10, 1895, conveying title of Orchard Knob Avenue to the United States.

Crest Road.—This road extends along Missionary Ridge, and is one of the approaches to the Park.

236. Deed from D. P. Montague, dated April 9, 1893, and recorded in Book X, Vol. 7, Page 31 et seq., of the records of Hamilton County.

237. Deed from John H. Hogan et al., dated September 29, 1893, and recorded in Book X, Vol. 7, Page 10 et seq., of same records.

238. Deed from Samuel T. Dervers et al., dated September 30, 1893, and recorded in Book X, Vol. 7, Page 5 et seq., of same records.

239. Deed from John H. Hogan et al., dated September 30, 1893, and recorded in Book X, Vol. 7, Page 7 et seq., of same records.

240. Deed from George W. Ochs et al., dated September 30, 1893, and recorded in Book X, Vol. 7, Page 9 et seq., of same records.

241. Deed from Charles V. Payne et al., dated October 9, 1893, and recorded in Book X, Vol. 7, Page 11 et seq., of same records.

242. Deed from R. P. Johnson et al., dated October 10, 1893, and recorded in Book X, Vol. 7, Page 17 et seq., of same records.

243. Deed from Ella C. French et al., dated October 31, 1893 and recorded in Book X, Vol. 7, Page 15 et seq., of same records.

244. Deed from S. J. Brundage, dated November 29, 1893, and recorded in Book V, Vol. 7, Page 405 et seq., of same records.

245. Deed from J. E. MacGowan et al., dated December 11, 1893, and recorded in Book X, Vol. 7, Page 19 et seq., of same records.

246. Deed from J. R. Bennett, dated December 19, 1893, and recorded in Book X, Vol. 7, Page 22 et seq., of same records.

247. Deed from J. R. Bennett, dated December 19, 1893, and recorded in Book X, Vol. 7, Page 23 et seq., of same records.

248. Deed from F. J. Bennett, dated December 29, 1893, and recorded in Book M, Vol. 6, Page 393 et seq., of same records.

249. Deed from Ella C. French et al., dated January 13, 1894, and recorded in Book X, Vol. 7, Page 13 et seq., of same records.

250. Deed from F. T. Hardwick et al., dated February 6, 1894, and recorded in Book X, Vol. 7, Page 32 et seq., of same records.

251. Deed from J. W. Crouch et al., dated February 8, 1894, and recorded in Book X, Vol. 7, Page 26 et seq., of same records.

252. Deed from Ismar Noa et al., dated February 26, 1894, and recorded in Book X, Vol. 7, Page 38 et seq., of same records.

253. Deed from G. W. Martin et al., dated February 26, 1894, and recorded in Book X, Vol. 7, Page 42 et seq., of same records.

254. Deed from Geo. Rivington et al., dated February 26, 1894, and recorded in Book X, Vol. 7, Page 44 et seq., of same records.

255. Deed from Cyrena Newman et al., dated February 26, 1894, and recorded in Book X, Vol. 7, Page 47 et seq., of same records.

256. Deed from D. Y. Grieb, dated April 4, 1894, and recorded in Book X, Vol. 7, Page 30 et seq., of same records.

257. Deed from W. M. Brown et al., dated April 20, 1894, and recorded in Book X, Vol. 7, Page 40 et seq., of same records.

258. Deed from J. T. Hill et al., dated April 21, 1894, and recorded in Book X, Vol. 7, Page 36 et seq., of same records.

259. Deed from Katie A. Rice et al., dated August 19, 1895, and recorded in Book 14, Page 496, of the records of Walker County.

260. Deed from the Bragg Hill Land Company, dated September 13, 1899, and recorded in Book V, Vol. 6, Page 133 et seq., of the records of Hamilton County.

261. Deed from Joseph H. Rathburn, dated June 13, 1902, and recorded in Book H, Vol. 7, Page 180 et seq., of same records.

262. Deed from Mrs. A. E. Morrison and husband, dated March 27, 1903, and recorded in Book 16, Page 119, of the records of Catoosa County.

Gap and Crest Road ("*Cut-off*").

263. Deed from Ida M. White, dated September 6, 1893, and recorded in Book 17, Page 43, of the records of Walker County.

264. Deed from Henrietta E. Wormer, dated September 6, 1893, and recorded in Book 17, Page 46, of same records.

265. Deed from Thomas McKee, dated September 8, 1893, and recorded in Book 17, Page 50, of same records.

266. Deed from the Heirs of Samuel and Martha J. Gregg, dated September 11, 1893, and recorded in Book 17, Page 48, of same records.

Jurisdiction over that part of the Park and the roads situated in the State of Georgia was ceded by Acts of the State Legislature approved November 19, 1890, December 9, 1893, and December 3, 1895. These acts provide as follows:

"SECTION I. *Be it enacted, etc.*, That the jurisdiction of this State is hereby ceded to the United States of America over all such lands and roads as are described and referred to in the foregoing preamble to this act, which lie within the territorial limits of this State, for the purposes of a National Park, or so much thereof as the National Congress may deem best: *Provided*, That this cession is upon the express condition that the State of Georgia shall so far retain a concurrent jurisdiction with the United States over said lands and roads as that all civil and criminal process issued under the authority of this State may be executed thereon in like manner as if this act had not been passed; and upon the further express conditions that the State shall retain its civil and criminal jurisdiction over persons and citizens in said ceded territory as over other persons and citizens in this State, and the property of said citizens and residents thereon, except lands and such other property as the General Government may desire for its use; and that the property belonging to persons residing within said ceded territory shall be liable to State and county taxes, the same as if they resided elsewhere, and that citizens of this State in said ceded territory shall retain all rights of State suffrage and citizenship: *Provided, further*, That nothing herein

contained shall interfere with the jurisdiction of the United States over any matter or subjects set out in the act of Congress establishing said National Park, approved August nineteenth, eighteen hundred and ninety, or with any laws, rules, or regulations that Congress may hereafter adopt for the preservation and protection of its property and rights in said ceded territory and the proper maintenance of good order therein: *Provided*, *further*, That this cession shall not take effect until the United States shall have acquired title to said lands." (Act of November 19, 1890. Laws of Georgia, 1890, p. 3.)

"SECTION 1. *Be it enacted*, *etc.*, That from and immediately after the passage of this act the jurisdiction of the State of Georgia is ceded to the United States of America over a strip of fifty feet in width beginning at or within the corporate limits of the town of Chickamauga and running northwardly and east of the railway known as Chattanooga, Rome and Columbus Railroad, on such route as now or may hereafter be located and adopted by the said United States of America, to the Chickamauga and Chattanooga National Park boundary; also over another strip of land fifty feet wide, beginning on the Lafayette and Rossville public road at east end of the Rossville Gap, in Missionary Ridge, and running to a point on the Missionary Ridge Crest road near the crossing of that road by the boundary line between Georgia and Tennessee, on such route as now or may hereafter be located and adopted by the said United States of America, for the purpose of constructing and maintaining public roads thereon: *Provided*, That concurrent jurisdiction is retained by the State of Georgia on said ceded lands for the purpose of the administration of the criminal and civil laws of the State of Georgia and for the purpose of the execution of civil and criminal process of its courts: *Provided*, *further*, That this cession shall not take effect until the United States shall have acquired right of way for said purposes." (Act of December 9, 1893. Georgia Laws, 1893, p. 110.)

"SECTION I. *Be it therefore hereby enacted*, *etc.*, That on and after the passage of this act the jurisdiction of this State is hereby ceded to the United States of America over all such tracts of land as are described in the foregoing preamble (and any other tract or tracts which may be acquired by the United States of America in the said counties of Walker and Catoosa, in said State of Georgia, for park purposes) whenever title thereto shall have been acquired by the United States.

"SEC. II. *Be it further hereby enacted*, *etc.*, That the jurisdiction of this State is hereby ceded to the United States of America over the following-described public roads, approaches to said National Park, to wit: The road leading from Chickamauga, Georgia, by way of Pond Spring Post-office and Gower's Ford to the Davis Cross Roads; also the road leading from Lee and Gordon's Mill, by way of Rock Springs Post-office, to the court-house in the town of Lafayette, Georgia; also the road from Glass' Mill to the Lafayette and Lee and Gordon's Mill road, intersecting the said Lafayette road near the present home place of J. J. Jones—all of said roads as now located: *Provided*, That this cession contained in this and the preceding section is upon the expressed condition that the State of Georgia shall so far retain a concurrent jurisdiction with the United States over said lands and roads as that all civil and criminal process, issued under the authority of this State may be executed thereon in like manner as if this act had not been passed, and upon the further expressed condition

that the State shall retain a civil and criminal jurisdiction over persons and citizens in said ceded territory as over other persons and citizens of said State, and the property of said citizens and residents thereon, except lands and such other property as the General Government may desire for its use, and that the property belonging to persons residing in said ceded territory shall be liable to State and county taxes the same as if they resided elsewhere in said State, and that citizens of said State in said ceded territory shall retain all rights of State suffrage and citizenship: *Provided further*, That nothing herein contained shall interfere with the jurisdiction of the United States over any matter or subjects set out in the acts of Congress establishing said National Park, approved August nineteenth, eighteen hundred and ninety, or with any law, rules, or regulations that Congress may hereafter adopt for the preservation or protection of its property and rights in said ceded territory and the proper maintenance of good order therein: *Provided further*, That the cession shall not take effect until the United States shall, in the case of lands, have acquired titles thereto, and in the case of roads, provided for their improvement, and shall have filed a plat or map of the property so acquired in the office of the secretary of state." (Act of December 3, 1895. Georgia Laws, 1895, p. 77.)

Jurisdiction over that portion of the National Park and the roads situated in the State of Tennessee was ceded by the following Acts of the Legislature of said State, approved January 30, 1891, and January 24, 1895, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of this State is hereby ceded to the United States of America over all such roads as are described and referred to in the foregoing preamble to this act which lie within the territorial limits of this State, for the purposes of a National Park, or so much thereof as the National Congress may deem best: *Provided*, That this cession is upon the express condition that the State of Tennessee shall so far retain a concurrent jurisdiction with the United States over said roads as that all civil and criminal process issued under the authority of this State may be executed thereon in like manner as if this act had not been passed: *Provided further*, That nothing herein contained shall interfere with the jurisdiction of the United States over any matter or subjects set out in the act of Congress establishing said National Park, approved August nineteenth, eighteen hundred and ninety, or with any laws, rules, or regulations that Congress may hereafter adopt for the preservation and protection of its property and rights on said ceded roads and the proper maintenance of good order thereon." (Act of January 30, 1891. Acts of Tennessee, 1891, p. 50.)

"SECTION 1. *Be it enacted by the general assembly of the State of Tennessee*, That the jurisdiction of this State is hereby ceded to the United States of America over all such tracts of land as have been acquired by the United States for the purpose named, and over such similar tracts of land as may be acquired in said Hamilton County for park purposes, whenever the title thereto shall have been acquired by the United States.

"*Provided*, That this cession is upon the express condition that the State of Tennessee shall so far retain a concurrent jurisdiction with the United States over said lands and roads as that all civil and

criminal process issued under the authority of the State may be executed thereon in like manner as if this act had not been passed.

"*Provided further*, That nothing herein contained shall interfere with the jurisdiction of the United States over any matters or subjects set out in the act of Congress establishing said National Park, approved August nineteenth, eighteen hundred and ninety, or with any laws, rules, or regulations that Congress may hereafter adopt for the preservation and protection of its property and rights on said lands and roads and the proper maintenance thereof.

"*Provided further*, That this cession shall not take effect until the United States shall have acquired title to said lands and roads." (Act of January 24, 1895. Acts of Tennessee, 1895, p. 5.)

See also act approved April 15, 1899, which enlarges and extends the provisions of above act. (Acts of Tennessee, 1899, p. 576.)

Revocable Licenses: License, April 7, 1903, to the Central of Georgia Railway Company to connect its tracks at the boundary of the reservation with, and to operate its cars over, the government tracks within the reservation.

License, April 7, 1903, to the Rapid Transit Company of Chattanooga to connect its tracks at the boundary of the reservation with, and to operate its cars over, the government tracks within the reservation.

License, November 15, 1904, to Rapid Transit Company of Chattanooga to place poles and wires over Government spur track and for waiting room partly on the reservation.

FORT MCPHERSON.

This reservation contains 236.64 acres and is bounded as described in G. O. No. 111, War Dept., June 18, 1906. It is situated south of and 4 miles from the center of the city of Atlanta in Fulton County. The title is as follows:

1. Deed from Lucy S. Beard, dated September 9, 1885, conveying 15 acres, recorded in the Clerk's Office of the Superior Court, Book Z Z, page 212, of the deed records of Fulton County.

2. Deed from Flavius J. Bomar, dated September 9, 1885, conveying 26.17 acres, recorded in the Clerk's Office of the Superior Court, Book Z Z, page 216, of same records.

3. Deed from Mary S. Connally, dated September 9, 1885, conveying 24.61 acres, recorded in the Clerk's Office of the Superior Court, Book Z Z, page 215, of same records.

4. Deed from Elizabeth S. Silvey, dated September 9, 1885, conveying 25.76 acres, recorded in the Clerk's Office of the Superior Court, Book Z Z, page 214, of same records.

5. Deed from Annie M. Smith, dated September 9, 1885, conveying 48.55 acres, recorded in the Clerk's Office of the Superior Court, Book Z Z, page 213, of same records.

6. Deed from Lemuel P. Grant, dated August 18, 1885, conveying 23.70 acres, recorded in the Clerk's Office of the Superior Court, Book C 3, page 103, of same records.

7. Deed from Aquilla J. Cheney, dated August 20, 1886, conveying 24.94 acres and a small triangular piece containing about 11,040 square feet, recorded in the Clerk's Office of the Superior Court, in Book C 3, page 101, of same records.

8. Deed from Ada L. Moore, dated August 23, 1886, conveying 23.87 acres, recorded in the Clerk's Office of the Superior Court, Book C 3, page 102, of same records.

9. Deed from Mrs. C. C. Niles, dated August 23, 1886, conveying 23.55 acres, recorded in the Clerk's Office of the Superior Court, Book C 3, page 104, of same records.

10. Deed from Mary S. Connally, dated September 10, 1886, conveying 10,200 square feet, recorded in the Clerk's Office of the Superior Court, Book C 3, page 100, of same records.

Jurisdiction over this reservation was ceded to the United States by act of the State Legislature, approved September 14, 1885, as amended by act approved November 19, 1886. The act as amended provides as follows:

"Whereas a bill has passed the House of Representatives in the Congress of the United States providing for the establishment of a military post near the city of Atlanta, in the county of Fulton, in said State, which may become a law before the next meeting of the General Assembly of this State; and whereas, it is needful that this State shall cede to the Government of the United States jurisdiction over such lands as may be acquired for the purpose mentioned: therefore,

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of this State is hereby ceded to the Government of the United States over any lands, not exceeding two hundred and fifty acres, to which it may acquire title near the city of Atlanta, in said county of Fulton or county of De Kalb, for the purpose mentioned in the preamble of this Act, so long as said land may be used for said purpose: *Provided*, always, That the said transfer of jurisdiction is to be made and granted as aforesaid upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands so to be transferred, and every portion thereof so far that all process, civil or criminal, issuing under authority of this State or any of the courts or judicial officers thereof upon any person or persons amenable to the same, within the limits and extent of the land or lands so ceded in like manner and to like effect, as if this Act had never been passed, saving, however, to the United States security to their property within the limits of said lands." (Georgia Laws, 1885, p. 120, and 1886, p. 37.)

FORT MCPHERSON RIFLE RANGE.

This reservation contains about 1,271 acres, and is situated in Carroll and Haralson Counties, near Bremen.

The title was acquired by Deed from J. P. Boatright and R. H. Parker, dated January 13, 1896, conveying 1,271 acres reserving a burial lot in the Northeast Corner of tract containing 6,400 square feet. Recorded in the Clerk's Office of the Superior Court, Book Z, page 82, of the deed records of Carroll County.

MARIETTA NATIONAL CEMETERY.

This reservation contains a total area of about 24 acres and is situated near the city of Marietta, in Cobb County. The title is as follows:

Deed from Henry G. Cole and wife, dated July 31, 1866, conveying 20.01 acres recorded in the Clerk's Office of the Superior Court in Deed Book A, pages 574 and 575, of the Deed Records of Cobb County.

Deed from Henry G. Cole and wife, dated September 23, 1867, conveying four and eleven-twentieths acres additional lands, recorded in Clerk's Office of Superior Court in Deed Book A, pages 389 and 390, of same records.

Deed of relinquishment from Sarah M. Black, dated January 25, 1870, relinquishing interest in above four and eleven-twentieths acres recorded in Clerk's Office of Superior Court Deed Book B, pages 542 to 544, of same records.

For jurisdiction see Andersonville National Cemetery.

FORT OGLETHORPE.

By G. O. 10, War Department, January 24, 1905, the reservation on the Savannah River, near Savannah, Ga., formerly known as Fort Oglethorpe, being no longer of use for purposes of defense, was placed under the supervision of the Engineer Department, and its official designation as Fort Oglethorpe was discontinued.

The name Fort Oglethorpe was given to the new post at Cloud Springs, Chickamauga Park, Ga., by G. O. 194, War Department, December 27, 1904; and the following data relate to the reservation for that post:

The reservation consists, approximately, of 807.24 acres, according to survey by 1st Lt. Warren T. Hannum, Corps of Engineers, Sept., 1906. It is situated in Catoosa and Walker counties, within the limits of the Chickamauga and Chattanooga National Military Park as authorized by act of Congress of August 19, 1890 (26 Stat. L., 333). The lands were acquired for the enlargement of the Park, with a view to their use as a military reservation. See G. O. No. 196, W. D., November 28, 1906, announcing metes and bounds of the reservation.

For title, see 80a to 80p, both inclusive, under Chickamauga and Chattanooga National Military Park, pages 59–61, *ante.*

For jurisdiction, see acts of the Legislature of Georgia of November 19, 1890, and December 3, 1895, pages 70 and 71, *ante.*

Revocable License: April 28, 1905, to Mr. S. W. Divine of Chattanooga, Tenn., for electric railway, connecting with Government spur track.

Revocable Lease: September 26, 1905, to Central of Georgia Railway of the spur railway track belonging to the United States, and of parcel of ground for railroad depot.

FORT OGLETHORPE TARGET RANGE.

This reservation contains about 1,177.5 acres, and comprises all of land lots 124, 128, 129, 160, and 165, and parts of land lots 92, 93, 125, 196, and 197, located in the third section, twenty-eighth district of Catoosa County, Georgia.

The title is as follows:

1. Deed from William M. Fain, dated August 30, 1906, conveying about 524 acres; recorded in Book —, page —, of the records of Catoosa County.

2. Deed from Fannie A. Harris, dated August 31, 1906, conveying about 440.5 acres; recorded in Book —, page —, of same records.

3. Deed from Benjamin F. Harris, dated September 6, 1906, conveying about 213 acres; recorded in Book —, page —, of same records.

POINT PETER.

This reservation contains about 720 acres and is situated at the mouth of St. Marys River in Camden County. The title was acquired as follows:

Deed from Samuel Breck, surviving Executor, etc., dated January 10, 1818, conveying 720 acres, recorded in Clerk's Office of the Superior Court in Deed Book S, folios 509–511, of the deed records of Camden County.

Jurisdiction, if acquired, rests on the act of the General Assembly of Georgia, approved December 2, 1808, which provides as follows:

"*Be it enacted, etc.*, That from and immediately after the passing of this act the Congress of the United States shall have and maintain jurisdiction in and over all the lands they have purchased, or which have been ceded or otherwise acquired by them, or hereafter may be acquired, for the purpose of erecting Forts or Fortifications in this State: *Provided*, The said United States do or shall cause Forts or Fortifications to be erected thereon."

But see appendix, page 428 *post.*

Revocable Lease of above tract, except so much as is occupied by the house of Thomas I. Du Bois, to R. H. Downes, for 5 years from May 1st, 1905.

FORT PULASKI.

This reservation contains about 150 acres and is situated 14 miles from Savannah on Cockspur Island. The title is as follows:

1. Deed from Alex. Telfair et al., dated March 15, 1830, conveying about 130 acres of Cockspur Island, recorded in the Clerk's Office of Superior Court in Book 22, folios 82 to 85, of the deed records of Chatham County, (the 20 acres being reserved for public purposes).

2. By Acts of the State Legislature, approved December 30, 1820, and December 27, 1845, title and jurisdiction over the said reserve of 20 acres were ceded to the United States, in terms as follows:

" Whatever right title or interest the State of Georgia may have in or to the sites or parcels of ground, or any of them whereon the United States of America have placed or erected beacons, or beacon lights, on Tybee Island, on Cockspur Island, on the Oyster Bank opposite said Cockspur Island, on the White Oyster Bank, likewise opposite the same, on Long Island and on Elba Island in the Savannah River and likewise the jurisdiction to and over the same be and the same are hereby ceded to and vested in the said United States of America." (Act of Dec. 30, 1820, Sec. 19, Prince's Digest, p. 155.)

See also Point Peter, *ante.*

" Whereas, in and by an act of the General Assembly of this State, passed on the second day of December, eighteen hundred and eight, the jurisdiction over all the lands the United States of America had before that day purchased and acquired, and which they might there-

after purchase and acquire, for the purpose of erecting forts or fortifications in this State, was ceded by this State to the United States; and whereas, the United States have, by deed, on the fifteenth day of March, eighteen hundred and thirty, purchased and acquired from Alexander Telfair and sisters, the whole Island aforesaid, (Cockspur Island) with the exception of twenty acres, which by the said deed, and by many others of anterior date, from various grantors, had been reserved for the public use; and whereas, the said United States have erected on the said Island, for the defence of the city and harbor of Savannah, a fort, known as Fort Pulaski, and the whole island being considered necessary for the accommodation of said fort, and the said reserve being of inconsiderable importance:

"SECTION 1. *Be it therefore enacted, etc.*, That the right, title and interest of the State of Georgia, and also the jurisdiction of said State, in, to and over the said reserve of twenty acres, on Cockspur Island, be and the same are hereby ceded and surrendered to the United States of America, *Provided, nevertheless*, That if at any time the said United States of America shall cease to occupy the said Island, for the purpose of fortification, this act shall immediately thereafter become null and void, and the said reserve shall return to, and be reinvested in the State of Georgia for the use of the public." (Act of Dec. 27, 1845.)

See, also, Act of Dec. 2, 1808, under Point Peter, page 76, *ante*, referred to in Act of Dec. 27, 1845, as giving jurisdiction over the purchase of 130 acres from "Alexander Telfair and sisters."

Revocable Licenses: License, March 24, 1881, to the Board of Sanitary Commissioners of the city of Savanah to construct a telephone line across Cockspur Island to connect the quarantine station on the Oyster Bed with the office of the Board.

License, May 8, 1889, to the city of Savannah to occupy and use for quarantine purposes a portion of the northwestern end of Cockspur Island.

FORT SCREVEN.

This reservation contains about 269 acres, and is situated on Tybee Island at the mouth of the Savannah River, about 17 miles from the city of Savannah, in Chatham County. The title is as follows:

1. Deed from John Screven at al., dated May 21, 1875, conveying 210 acres exclusive of the 6 acres used for Light House purposes. Recorded in the Clerk's Office of the Superior Court in Deed Book R R R R, folio 390, of the deed records of Chatham County.

2. Deed from the Tybee Beach Company, dated June 12, 1899, conveying Lots 145 to 147. Recorded in Clerk's Office of Superior Court in Deed Book 8a, folio 399, of same records.

3. Deed from the Tybee Beach Company, dated August —, 1901, conveying a tract of land therein described. Recorded in Clerk's Office of Superior Court in Deed Book 8K, folio 185, of same records.

4. Deed from Charles H. Madison, dated August 16, 1901, conveying Lots 100, 101, 102, 103, 104, 105, 107 and western half of Lot 106. Recorded in Clerk's Office of Superior Court in Deed Book 8K, folio 179, of same records.

5. Deed from John G. Butler, dated August 17, 1901, conveying Lots 72, 73, 78, 79, 88, 91, 92, 93, 94, 96, 99 and 114. Recorded in

Clerk's Office of Superior Court in Deed Book 8K, folio 174, of same records.

6. Deed from Francis E. Rocca, dated August 17, 1901, conveying Lots 85 and 109. Recorded in Clerk's Office of Superior Court in Deed Book 8K, folio 182, of same records.

7. Deed from James J. Joyce, dated August 17, 1901, conveying Lots 80, 81, 82, 83 and 84. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 176, of same records.

8. Deed from Henry Solomon, dated August 17, 1901, conveying Lot 75. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 184, of same records.

9. Deed from Ellen Wall, dated August 19, 1901, conveying Lot 89. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 189, of same records.

10. Deed from Robert W. McLaughlin, dated August 19, 1901, conveying Lots 74 and 110. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 188, of same records.

11. Deed from William J. Moore, dated August 20, 1901, conveying the eastern half of Lot 106. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 180, of same records.

12. Deed from Carrie L. Lodge, dated August 20, 1901, conveying Lots 76 and 77. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 178, of same records.

13. Deed from Robert Hunter, dated August 20, 1901, conveying Lots 95, 96, 97, 98 and 99. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 175, of same records.

14. Deed from Henry W. Bond and wife, dated August 20, 1901, conveying Lots 112 and 113. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 172, of same records.

15. Deed from James M. Noble, dated August 20, 1901, conveying Lots 86, 87 and 90. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 181, of same records.

16. Deed from John Byers, dated August 29, 1901, conveying Lot 111. Recorded in Clerk's Office of Superior Court in Deed Book 8 K, folio 173, of same records.

17. Deed from Catherine Naylor, dated March 11, 1903, conveying 6.68 acres. Recorded in Clerk's Office of Superior Court in Deed Book 8 Q's, folio 108, of same records.

18. Deed from the Tybee Beach Company, dated March 14, 1903, conveying about 7 acres. Recorded in Clerk's Office of Superior Court in Deed Book 8 Q's, folio 110, of same records.

19. Deed from John C. Rowland, dated February 25, 1904, conveying lots 32, 33 and 34. Recorded in Book 8 T, folio 373, of same records.

The following lots are included within the tract of twenty acres known as the "Tilton tract", shown on a map of survey for James H. Furber made by Percy Sugden, C. E., in April, 1888. Title was acquired by the following deeds:

1. Deed from Isaac D. LaRoche, dated January 24, 1905, conveying Lots 38, 70, 71, and 108; recorded in County Records Book 8Y, folio 403; records of Chatham County, Ga.

2. Deed of Frank W. Stover, dated January 31, 1905, conveying Lot 36; recorded in Deed Book 9A, folio 166, of the records of said county.

3. Deed from Diedrich Entelman, dated March 10, 1905, conveying Lot 51; recorded in Deed Book 9A, folio 172, of the records of said county.

4. Deed from Joseph Copps, dated March 13, 1905, conveying Lots 5 and 6; recorded in Deed Book 9A, folio 164, of the records of said county.

5. Deed from John G. Butler, jr., dated March 13, 1905, conveying Lots 8 and 9; recorded in Deed Book 9A, folio 163, of the records of said county.

6. Deed from Samuel Reynolds, dated March 13, 1905, conveying Lots 18 and 37; recorded in Deed Book 9A, folio 266, of the records of said county.

7. Deed from Henrietta Platshek, dated March 13, 1905, conveying Lot 48; recorded in Deed Book 9A, folio 184, of the records of said county.

8. Deed from H. W. Cowan, dated March 13, 1905, conveying Lot 26; recorded in Deed Book 9A, folio 174, of the records of said county.

9. Deed from James M. Dixon, dated March 13, 1905, conveying Lots 34 and 35; recorded in Deed Book 9A, folio 176, of the records of said county.

10. Deed from Thomas Cooley, dated March 13, 1905, conveying Lots 53 and 54; recorded in Deed Book 9A, folio 173, of the records of said county.

11. Deed of Addie Jacobs Hutto, dated March 13, 1905, conveying Lot 57; recorded in Deed Book 9A, folio 188, of the records of said county.

12. Deed from Bridget Hanly, dated March 13, 1905, conveying Lots 61 and 62; recorded in Deed Book 9A, folio 187, of the records of said county.

13. Deed from Charles C. Ely, dated March 13, 1905, conveying Lots 67, 68 and 69; recorded in Deed Book 9A, folio 167, of the records of said county.

14. Deed from Mary A. Ronan, dated March 14, 1905, conveying Lots 1 and 2; recorded in Deed Book 9A, folio 183, of the records of said county.

15. Deed from John F. Lubs, dated March 14, 1905, conveying Lot 3; recorded in Deed Book 9A, folio 187, of the records of said county.

16. Deed from John H. H. Entelman, dated March 14, 1905, conveying Lot 11; recorded in Deed Book 9A, folio 175, of the records of said county.

17. Deed from Daniel J. Roche and Eliza J. Roche, sole heirs at law of Bridget Roche, deceased, dated March 14, 1905, conveying Lot 47; recorded in Deed Book 9A, folio 186, of the records of said county.

18. Deed from John H. Grimm, dated March 14, 1905, conveying Lot 56; recorded in Deed Book 9A, folio 166, of the records of said county.

19. Deed from Francis E. Rocca, dated March 15, 1905, conveying Lot 24; recorded in Deed Book 9A, folio 222, of the records of said county.

20. Deed from T. H. Monahan, dated March 15, 1905, conveying Lot 43; recorded in Deed Book 9A, folio 235, of the records of said county.

21. Deed from William Kehoe, dated March 13, 1905, conveying Lots 19, 20, 28, and 29; recorded in Deed Book 9E, folio 40, of the records of said county.

22. Deed from Emile Newman, dated March 27, 1905, conveying Lots 45 and 46; recorded in Deed Book 9E, folio 42, of the records of said county.

23. Deed from A. P. Solomon et al., dated April 21, 1905, conveying Lot 49; recorded in Deed Book 9E, folio 35, of the records of said county.

24. Deed from Elizabeth McNally, dated June 2, 1905, conveying Lots 14 and 15; recorded in Deed Book 9E, folio 37, of the records of said county.

25. Deed from Frederic Chastanet, dated June 3, 1905, conveying Lot 42; recorded in Deed Book 9E, folio 41, of the records of said county.

26. Deed from Francis Hart, dated June 5, 1905, conveying Lot 39; recorded in Deed Book 9E, folio 38, of the records of said county.

27. Deed from Mary McCarthy, executrix, dated June 8, 1905, conveying Lots 55, 63, 64, 65 and 66; recorded in Deed Book 9E, folio 37, of the records of said county.

28. Deed from Mary A. Ronan, executrix, dated June 17, 1905, conveying Lot 4; recorded in Deed Book 9E, folio 34, of the records of said county.

29. Deed from W. L. Wilson, Trustee in Bankruptcy of the estate of John J. McDonough, dated June 17, 1905, conveying Lots 58, 59 and 60; recorded in Deed Book 9E, folio 33, of the records of said county.

30. Deed from William T. Daniels, dated June —, 1905, conveying Lots 30 and 31; recorded in Deed Book 9E, folio 39, of the records of said county.

The following lands are included within the tract or plan of Lots laid out by John R. Tabeau. Title as follows:

Deed from James Farie, jr., dated March 13, 1905, conveying the South half of Lot No. 5; recorded in Deed Book 9A, folio 170, of the records of said county.

Jurisdiction over a portion of this reservation was ceded by an act of the State Legislature approved July 19, 1904, in terms as follows:

"SECTION 1. *Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same*, That the jurisdiction of this State be, and the same is hereby, ceded to the United States over the military reservation of Fort Screven on Tybee Island, in Chatham County, containing about 221.28 acres; the same having been acquired by the United States for fortification purposes by deed from John Screven et al., dated May 21, 1875, recorded in the Clerk's Office of the Superior Court of Chatham County in Deed Book R. R. R. R., folio 390, by deed from the Tybee Beach Company, dated June 12, 1899, recorded in same office in Deed Book 8a, folio 399, and by deed from Jno. C. Rowland, dated February 25, 1904, recorded in same office in Deed Book 8t, folio 373; *Provided, nevertheless*, That nothing herein contained shall extend, or be construed

to extend, so as to impede or prevent the execution of any process, civil or criminal, under the authority of this State."

Revocable licenses: License, March 10, 1899, to the Georgia Telephone Company to occupy the Martello tower on the reservation as a signal station to report passing vessels, under authority of Act of Congress, approved April 14, 1892.

License, July 29, 1904, to the Western Union Telegraph Company to maintain its existing telegraph lines upon the reservation, and to occupy for office purposes a room in the administration building.

License, July 29, 1904, to The Pilots Association of Savannah to moor boats at the Engineer Dock and to have right of passage to and from the same.

License, July 29, 1904, to the Savannah Propeller Tow Boat Company to moor boats at the Engineer Dock and to have right of passage to and from the same.

IDAHO.

BOISE BARRACKS.

This reservation contains 636.35 acres and is situated adjacent to Boise City, in Ada County, and as a part of the public domain was reserved for military purposes by Executive Order, dated April 9, 1873.

By deed, dated May 24, 1905, Peter Sonna and wife conveyed to the United States their water rights and water system; acquired under sections 18 and 20, Act of Congress of March 3, 1891, and approvals thereunder by Secy of War, dated Feb. 25, 1893, Aug. 22, 1894, and Dec. 12, 1894; deed recorded in Book 53 of Deeds, page 580, in the Recorder's Office of Ada County, Idaho.

Jurisdiction was ceded to the United States by an Act of the State Legislature, approved February 7, 1891, which provides as follows:

"SECTION 1. That pursuant to article one, section eight, paragraph seventeen, of the Constitution of the United States, consent to purchase is hereby given and exclusive jurisdiction ceded to the United States over and with respect to all lands embraced within the military posts and reservations of Fort Sherman and Boise Barracks, together with such other lands in the State as may be now or hereafter acquired and held by the United States for military purposes, either as additions to the said posts or as new military posts or reservations which may be established for the common defense; and, also, all such lands within the State as may be included in the territory of the Yellowstone National Park, reserving, however, to this State a concurrent jurisdiction for the execution upon said lands, or in the buildings erected thereon, of all process, civil or criminal, lawfully issued by the courts of the State and not incompatible with this cession." (Idaho Code, 1901, Vol. 1, p. 9, Sec. 22.)

Easements: Pursuant to Sections 18 and 20 of Act of Congress, approved March 3, 1891, the Secretary of War approved the location by Joseph Perrault of an irrigating canal through the reservation, February 25, 1893. Change of location of this canal, known as "Walling Canal," approved Dec. 15, 1905, to make room for the enlargement of the post.

Revocable lease to the Warren Construction Company of Portland, Oreg., for two years from March 8, 1906, stone quarry. Consideration 10 cents per cubic yard for all stone removed.

Revocable Licenses: License, July 13, 1893, to the city of Boise to lay, maintain and use a line of pipe through a part of the reservation for the purpose of flushing sewers.

License, December 14, 1900, to Idaho Independent Telephone Company to erect and maintain a telephone line upon the reservation.

ILLINOIS.

GENERAL ACTS OF CESSION.

"SECTION 1. *Be it enacted, etc.*, That the United States shall have power to purchase or condemn, in the manner prescribed by law, upon making just compensation therefor, any land in the State of Illinois required for custom-houses, arsenals, light-houses, national cemeteries, or for other purposes of the government of the United States.

"SEC. 2. The United States may enter upon and occupy any land which may have been or may be purchased or condemned or otherwise acquired, and shall have the right of exclusive legislation and concurrent jurisdiction, together with the State of Illinois, over such land and the structures thereon, and shall hold the same, exempt from all state, county, and municipal taxation."

(Approved December 14, 1871. Illinois Stats., 1898, p. 1521.)

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of Illinois is hereby given, in accordance with the sixteenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation or otherwise, of any land in this State required for custom houses, court houses, post offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

"§ 2. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby, ceded to the United States for all purposes except the administration of the criminal laws and the service of all civil processes of this State; but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

"§ 3. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer the same shall be and continue exempt and exonerated from all State, county and municipal taxation, assessment, or other charges which may be levied or imposed under the authority of this State."

(Approved April 11, 1899. Laws of Illinois, 1899, p. 375.)

ALTON CEMETERY.

(Burial lot for prisoners of War.)

This lot contains an area of 0.44 acre, and is the southeast part of lot 23 in Mounier's first subdivision of the NW. ¼ of Sec. 2, T. 5 N., R. 10 W. of the Third Principal Meridian in the County of Madison. The title is as follows:

Deed from Thomas Dunford and wife, dated October 15, 1867, and recorded in book 104, page 17, of the deed records of Madison County.

Jurisdiction was ceded to the United States by an Act of the State Legislature approved March 31, 1869, as follows:

"SECTION 1. *Be it enacted, etc.*, That whereas the said United States have purchased the following described real estate in said County, to wit, 0.44 of an acre of land, the same being the Southeast part of lot number twenty-three (23) in Mounier's first subdivision of the Northwest quarter of section number two (2), Township five (5), North of Range ten (10) West of the third (3) principal meridian. Wherefore exclusivie jurisdiction and legislation are hereby ceded to the United States over said real estate, and the right of taxation or assessment of said real estate is hereby relinquished to the said United States.

"SEC. 2. All civil and criminal process issued under the authority of this State or by any of its officers in pursuance of law may be executed on said real estate as if such jurisdiction had not been ceded."

See also General Acts of Cession.

CAMP BUTLER NATIONAL CEMETERY.

This reservation contains 6.02 acres and is situated about 2 miles from the town of Riverton, in Sangamon County. The title is as follows:

Deed from Polly Miller, Executrix, etc., dated September 6, 1865, conveying the above lands as a part of Sec. 16, T. 16 N., R. 4 W. of Third Principal Meridian. Recorded in Book No. 25, page 327, of the deed records of Sangamon County.

For jurisdiction see General Acts of Cession.

GRACELAND CEMETERY.

This reservation contains 20,000 square feet in Adams County near Quincy. The title is as follows:

Deed from the Quincy Cemetery Association, dated October 25, 1899, conveying the above tract situated in Sec. 5, T. 2 S., R. 8 W. of the 4th Principal Meridian. Recorded in volume 3, page 162, of the Records of the Quincy Cemetery Association.

For jurisdiction see General Acts of Cession.

MOUND CITY NATIONAL CEMETERY.

This reservation contains about 10.50 acres and a right of way. It is situated at Mound City, in Pulaski County.

Title was acquired as follows:

1. Deed from Hiram Ketchum, dated May 4, 1867, releasing all right, title, etc., in the 10 acres in SE. ¼ sec. 26, in T. 16 S., R. 1 W. described therein. Recorded in Book T, page 323, etc, of the deed records of Pulaski County.

2. Deed from Samuel Staats Taylor and Edwin Parsons, trustees, etc., Cairo City property, dated May 4, 1867, conveying by deed of bargain and sale the above 10 acres. Recorded in Book T, page 321, etc., of same records.

3. Deed from Samuel Staats Taylor and Edwin Parsons, trustees, etc., dated November 28, 1873, conveying 0.50 acre adjoining the foregoing described 10 acres. Recorded in Book W, page 146, of same records.

4. Deed from Charles Parsons, trustee, etc., dated November 28, 1873, releasing all interest, etc., in the above 0.50 acre.

5. Deed from Commissioners of Pulaski County, dated August 11, 1882, conveying a right of way from Mound City to the cemetery 100 feet wide by 3,431 feet long. Recorded in Book Y, page 129, of same records.

6. Deed from Henry Parsons and Edwin Parsons, Trustees of the Cairo Trust Property, dated August 5, 1896, conveying a roadway to the Mound City National Cemetery. Recorded in Book 8, page 201, etc., of same records.

For jurisdiction see General Acts of Cession.

OAK WOODS NATIONAL CEMETERY.

This reservation contains about 69,064 square feet, and is situated in what is known as Oak Woods Cemetery, in Hyde Park, Cook County, Ill. The title is as follows:

1. Deed from The Oak Woods Cemetery Association, dated April 25, 1866, conveying all of Division 1 in Section Letter K of the plat of a portion of said Cemetery, etc., being 18,340 square feet. Recorded in Book 340, page 466, of the records of Oak Woods Cemetery. See also Book 16, page 247.

2. Deed from The Oak Woods Cemetery Association, dated May 1, 1867, conveying all of Division 2, in Section Letter K, of the plat of a portion of said Cemetery, being 50,724 square feet. Recorded in Book 428, page 581, of same records. Plat of Cemetery recorded in Book 164, page 198, of Maps in the Recorder's Office of Cook County.

For jurisdiction see General Acts of Cession.

ROCK ISLAND ARSENAL.

This reservation, embracing the entire island of Rock Island, contains 896.62 acres and is situated in the Mississippi River adjacent to the City of Rock Island, in Rock Island County. The title to the island was acquired through a Treaty with the Chiefs of the Sac and Fox tribes of Indians made by Gen. William Henry Harrison, Governor and Superintendent of Indian affairs for the Territory of Indiana and District of Louisiana, at St. Louis, Mo., in November, 1804, but the reservation for military purposes derives its validity from the Act of June 14, 1809. Possession was taken as early as May 10, 1816, barracks built, and afterwards a defensive work called

Fort Armstrong. This occupation continued until 1836, at which time the island was placed in charge of Indian agents, who remained in charge until 1840, when the War Department resumed possession, repaired some of the buildings of Fort Armstrong, established an Ordnance depot, and continued in possession of the island until 1844, when by an Act of Congress approved April 2, 1844, George Davenport was authorized to enter and purchase the SE. fractional quarter of Sec. 25, T. 18 N., R. 2 W. of the Fourth Principal Meridian (he afterwards received a patent therefor), area 157.81 acres, and by Act of Congress, approved January 24, 1855, David B. Sears was authorized to enter and purchase the E. ½ of SW. fractional quarter of fractional Section 29, containing 28.10 acres, and the SE. fractional quarter of same fractional Section containing 3.26 acres, same Township and Range, in order to secure to him the full and complete use of the water power on the north side of the island, patent issuing to him therefor. Such was the status of title when the Act of Congress making provision for the establishment of national arsenals was approved July 11, 1862. It becoming necessary to again have control of the whole island, Congress by an Act approved April 19, 1864, provided for the acquisition of such parts of the island as had been sold, and also for the extinguishment of all claims of title to property therein, and in accordance with the provisions of said Act, which was supplemented by the Act of Congress approved June 27, 1866, possession was taken of said portions and title acquired as follows:

1. Decree of condemnation for the SE. fractional quarter of Sec. 25, T. 18 N., R. 2 W. of the Fourth Principal Meridian in a certain Chancery proceeding in the Circuit Court of the United States for the Northern District of Illinois, entitled George L. Davenport and Susan M. Goldsmith *v.* The United States. Decree rendered May 2, 1867, and filed with the record in the Clerk's Office of said Court.

2. Decree of condemnation for Lot No. 5, in Block No. 15, in Island City subdivision No. 1 to Moline upon Rock Island, in a certain Chancery proceeding in the Circuit Court of the United States for the Northern District of Illinois, entitled Nels Johnson *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

3. Decree of condemnation for Lots Nos. 16, 17, 18, 19 and 20, in Block No. 10, in Island City subdivision No. 1 to the town of Moline upon Rock Island, in a certain Chancery proceeding in the Circuit Court of the United States for the Northern District of Illinois, entitled Daniel Jones *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

4. Decree of condemnation for Lot No. 4, in Block No. 11, in Island City subdivision No. 1 to Moline upon Rock Island, in a certain Chancery proceeding in the Circuit Court of the United States for the Northern District of Illinois, entitled Peter Peterson *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

5. Decree of condemnation for Lot No. 13, in Block No. 10, in Island City subdivision No. 1 to Moline upon Rock Island, in a certain Chancery proceeding in the Circuit Court of the United States for the Northern District of Illinois, entitled James Robinson *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

6. Decree of condemnation for Lots Nos. 1 and 2, Block No. 13, and Lots Nos. 4, 5 and 6, in Block No. 12, in Island City subdivision No. 1 of Moline upon Rock Island, in a certain Chancery proceeding entitled George Stephens, Jonathan Houtoon, and Timothy Wood, partners, etc., *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

7. Decree of condemnation for Lot No. 8, in Block No. 9, in Island City subdivision of Moline upon Rock Island, in a certain Chancery proceeding entitled Robert Welch *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

8. Decree of condemnation for Wilson's Island, in the Mississippi River, in Secs. 35 and 36, in T. 18 N., R. 2 W., Fourth Principal Meridian, containing 7. 60 acres, a certain bridge roadway and embankment and approaches leading thereto from the City of Rock Island across Wilson's Island, etc., in a certain Chancery proceeding entitled The City of Rock Island *v.* The United States. Decree rendered April 22, 1867, and filed with the record in the Clerk's Office of said Court.

9. Decree of condemnation for a certain bridge and roadway connecting the head of Rock Island with Mill street in the Town of Moline on the main shore (Provision for free use of streets of Moline connecting with the Bridge, right to repair or construct new bridge, etc.), in a certain Chancery proceeding entitled The Town of Moline *v.* The United States. Decree rendered May 13, 1867, and filed with the record in the Clerk's Office of said Court.

10. (Viaduct.) Deed from the Chicago, Rock Island and Pacific Railway Company and the Chicago, Burlington and Quincy Railway Company, dated December 23, 1890, conveying the right of way for a viaduct, etc. Recorded in Book 87, page 460, of the deed records of Rock Island County.

11. (For same.) Deed from the Moline and Rock Island Railroad Company, dated January 19, 1890, ceding a portion of its right of way. Recorded in Book 87, page 469, of same records.

12. (For same.) Deed from the St. Louis, Rock Island and Chicago Railroad Company, dated January 23, 1891, conveying portion of its right of way. Recorded in Book 87, page 465, of same records.

13. (For same.) Deed from the City of Rock Island, dated December 17, 1890, conveying right of way. Recorded in Book 87, page 453, of same records.

14. Ordinance of City Council of the City of Rock Island authorizing foregoing conveyance. Certified copy recorded in Book 87, page 457, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved February 1, 1867, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That jurisdiction over the island of Rock Island and the small islands contiguous thereto, known as Benhams, Wilsons, and Winnebago Islands and their shores, taken and assigned by the United States for the establishment of an arsenal and armory, be, and is hereby, ceded to the said United States, provided that the Commanding Officer shall, on application of a competent State Officer, allow the execution of all civil and criminal process issued under authority of the State of Illinois on said Islands in the

same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. *Be it further enacted*, That the islands before named and the public buildings and other property that may be thereon shall forever hereafter be exempted from all State, County, and Municipal Taxation and assessment whatever, so long as the same shall be used by the United States as an Arsenal and Armory."

See also General Acts of Cession; and Appendix, page 456.

Easements: Act of Congress approved March 2, 1867, amended by the Act of July 20, 1868, granted a right of way across the government bridge to the Rock Island and Pacific Railway Company, for the purposes of transit across the island and river, upon certain conditions.

Act of Congress approved March 3, 1885 (23 Stats., 435) granted privilege to Davenport and Rock Island Street Railway Company to run cars on reservation and bridge under such restrictions as the Secretary of War may impose.

Agreement with the Moline Water Power Company, dated August 20, 1867, conveying to the United States the entire water power of said company: the United States granting to said Company the free use of one-fourth of such power, etc.

Revocable Licenses: License, October 22, 1884, to the Sylvan Steel Company to cut through the dike built by the United States along the pool side of Sylvan Island and take water through an eight inch pipe from the pool.

License, September 10, 1888, to the Central Union Telegraph Company to run electric wires across the government bridges.

License, November 20, 1893, to the Davenport and Rock Island Railroad Company to substitute electric for horse power cars on the reservation.

License, February 12, 1894, to the People's Power Company to maintain a line of electric light wires upon and across the government bridge.

License, June 23, 1898, to the Rock Island and Eastern Illinois Railway Company to construct, maintain and operate its tracks through so much of the abandoned tail race south of the Moline dam wall as is the property of the United States, and along or through the south edge of the water power pool, on either side of the Moline bridge and across said bridge, etc.

License, June 3, 1899, to the Tri-City Railway Company to extend and operate a single track railway upon the grounds of the Rock Island Arsenal. License limited, March 10, 1905, to five years.

License, June 24, 1902, to the Union Telephone and Telegraph Company to place electrical cables or wires over government bridge.

License, November 11, 1904, to city of Moline, for ten-inch water main.

License, December 5, 1905, to Rock Island Golf Club for use of golf links and for construction of building for use of club.

License, October 8, 1906, to "Old Settlers" Association to repair and maintain "Old Davenport House."

ROCK ISLAND NATIONAL CEMETERY.

This cemetery contains an area of a little over 1 acre, and is situated near the upper or east end of the island of Rock Island, and is a part of that reservation. About 1,150 yards northwest of the above cemetery is a burial lot in which are buried the remains of 1,928 Confederate soldiers who died here while held as prisoners of war.

For title, jurisdiction, etc., see Rock Island Arsenal.

FORT SHERIDAN.

This reservation contains an area of 632.50 acres and is situated in Lake County, 25 miles north of the City of Chicago, on Lake Michigan. The reservation was conveyed to the United States by Citizens of Chicago in 1886 and accepted by the Secretary of War November 19, 1887, under authority of Joint Resolution of Congress of March 3, 1887. The title was conveyed as follows:

1. Deed from Adolphus C. Bartlett et al., dated October 6, 1887, conveying 598.50 acres in Lake County. Recorded in Vol. 86, page 406 et seq., of the deed records of Lake County.

2. Deed from Adolphus C. Bartlett et al. dated Octoder 6, 1887, conveying 34 acres in Lake County. Recorded in Vol. 86, page 410 et seq., of same records.

Jurisdiction: By an Act of the State Legislature, approved June 6, 1887, consent to the purchase of the foregoing lands was given and jurisdiction ceded as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of Illinois is hereby given to the acquiring of title by the United States, by purchase or otherwise, to the following described real estate or any portion thereof situated in the County of Lake [here describes the real estate above conveyed].

"SEC. 2. The jurisdiction of the State of Illinois in and over the said property, or such part thereof as the United States may so acquire title to, shall be, and the same hereby is ceded to the United States, subject to the restrictions hereinafter mentioned.

"SEC. 3. The said consent is given, and the said jurisdiction ceded upon the express condition that the State of Illinois shall retain a concurrent jurisdiction with the United States in and over the said property so far as that the execution of all civil and criminal processes which may issue under the laws or authority of the State of Illinois shall be allowed thereon on application to the officer of the United States in charge thereof in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such processes may affect the real or personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest in any respect to any portion of said real estate until the United States shall have acquired the title thereto by purchase or otherwise.

"SEC. 5. The said property, when acquired by the United States, and so long as the same shall remain the property of the United States and be used for public purposes, and no longer, shall be and continue exonerated and discharged from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State." (Illinois Stats., 1898, p. 1522a, Sec. 10.)

See also General Acts of Cession.

Revocable licenses: License, April 24, 1889, to the Chicago and Northwestern Railway Company to construct and maintain a side track upon the reservation. License modified November 17, 1904.

License, September 20, 1894, to the Chicago and Northwestern Railway Company to lay a two-inch galvanized pipe on the reservation, and to connect same with the government supply pipe.

License, February 28, 1895, to the Chicago and Northwestern Railway Company to construct a six-inch sewer on the reservation and connect same with existing post sewer.

License, March 16, 1900, to D. S. McMullin to lay and maintain a gas main through the reservation.

License, December 20, 1904, to Chicago Telephone Company, for telephone system.

License, May 29, 1905, to Indiana Transportation Company; July 28, 1905, to Northern Michigan Transportation Company; and July 21, 1906, to Chicago Northern Navigation Company, for landing vessels at Government pier.

License, October 9, 1906, to Chicago Telephone Company, for "underground conduit, and a pole telephone line east of the proposed new highway, in parkway." through the reservation and "the proposed addition thereto."

License, May 15, 1906, to Chicago and Milwaukee Electric Railroad Company, for maintenance of tracks on highway adjoining Chicago and Northwestern Railway Company, and upon acquisition of proposed addition to reservation, to construct and maintain thereon a passenger station adjoining proposed right of way to be acquired by said company.

WOODLAND CEMETERY, "SOLDIER'S LOT."

This property is known as Lot No. 33, in Block 1, in Woodland Cemetery, in the County of Adams. The title is as follows:

Deed from John Wood, Attorney in fact, etc., dated February 12, 1870, conveying above lot. Recorded in Book 1 of Cemetery Lots, pages 70 and 71, of the deed records at Quincy, Adams County.

For jurisdiction see General Acts of Cession.

INDIANA.

GENERAL ACT OF CESSION.

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of this State is hereby ceded to the United States of America over all such pieces or parcels of land within the limits of this State as have been or shall hereafter be selected and acquired by the United States for the purpose of erecting post-offices, custom-houses, or other structures exclusively owned by the General Government and used for its purposes: *Provided*, That an accurate description and plat of such lands so acquired, verified by the oath of some officer of the General Government having knowledge of the facts, shall be filed with the Governor of this State: *And provided further*, That this cession is upon the express condition that the State of Indiana shall so far retain concurrent jurisdiction with the United States in and over all lands

acquired or hereafter acquired as aforesaid; that all civil and criminal process issued by any court of competent jurisdiction, or officer having authority of law to issue such process; and all orders made by such court or any judicial officer duly empowered to make such orders and necessary to be served upon any person, may be executed upon said lands, and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The lands aforesaid, when so acquired, shall forever be exempt from all taxes and assessments so long as the same shall remain the property of the United States." (Approved January 25, 1883. Indiana Stats., 1894, sec. 7147.)

As to jurisdiction over National Cemeteries see the following Act of Congress, approved July 1, 1870:

"SECTION 1. *Be it enacted, etc.*, That from the time any State Legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any National Cemetery mentioned in the act entitled 'An Act to establish and protect national cemeteries,' approved February twenty-second, eighteen hundred and sixty-seven, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by Section eight, Article one, of the Constitution of the United States; and all the provisions of said act of February twenty-second, eighteen hundred and sixty-seven, shall be applicable to the same."

FORT BENJAMIN HARRISON.

This reservation is situated about 9 miles northeast of Indianapolis, in Marion County, and contains 1,994.17 acres, with metes and bounds as announced in G. O. No. 117, War Dept., June 28, 1904.

The title is as follows:

1. Deed from William V. Baker and wife, dated April 16, 1903, conveying 61.87 acres. Recorded in Land Record 43, page 2, of the records of Marion County.

2. Deed from Albert I. Baker and wife, dated April 18, 1903, conveying 48.87 acres. Recorded in Land Record 43, page 21, of same records.

3. Deed from Clara O. Summers and husband, et al., dated July 29, 1903, conveying 18 acres. Recorded in Land Record 43, page 31, of same records.

4. Deed from Francis M. Louden and wife, dated August 7, 1903, conveying 43.52 acres. Recorded in Land Record 43, page 26, of same records.

5. Deed from James G. Russell, dated August 11, 1903, conveying 6 acres. Recorded in Land Record 43, page 33, of same records.

6. Deed from Lydia B. Thomas, dated August 11, 1903, conveying 30.12 acres. Recorded in Land Record 43, page 27, of same records.

7. Deed from Mary A. Baker, dated August 11, 1903, conveying 24.04 acres. Recorded in Land Record 43, page 8, of same records.

8. Deed from James H. Thomas and wife, dated August 11, 1903, conveying 49.50 acres. Recorded in Land Record 43, page 13, of same records.

9. Deed from John N. Reddick and wife, dated August 11, 1903, conveying 56.60 acres. Recorded in Land Record 43, page 25, of same records.

10. Deed from Sarah C. Baker, dated August 11, 1903, conveying 87.56 acres. Recorded in Land Record 43, page 6, of same records.

11. Deed from Frank Baker, dated August 11, 1903, conveying 39.35 acres. Recorded in Land Record 43, page 4, of same records.

12. Deed from Nellie G. Baker and husband, dated August 11, 1903, conveying 64.81 acres. Recorded in Land Record 43, page 9, of same records.

13. Deed from Murray F. Hill and wife, dated August 11, 1903, conveying 20 acres. Recorded in Land Record 43, page 14, of same records.

14. Deed from John R. Harper and wife, dated August 11, 1903, conveying 97.48 acres. Recorded in Land Record 43, page 24, of same records.

15. Deed from Robert E. Poindexter and wife, dated August 11, 1903, conveying 71.34 acres. Recorded in Land Record 43, page 10, of same records.

16. Deed from Jesse H. Herrin and wife, dated August 11, 1903, conveying 16.60 acres. Recorded in Land Record 43, page 29, of same records.

17. Deed from Francis M. Kimberlin and wife, dated August 12, 1903, conveying 68.52 acres. Recorded in Land Record 43, page 12, of same records.

18. Deed from Francis M. Kimberlin and wife, dated August 12, 1903, conveying 7.04 acres. Recorded in Land Record 43, page 11, of same records.

19. Deed from Samuel A. Michael and wife, dated August 12, 1903, conveying 49.77 acres. Recorded in Land Record 43, page 28, of same records.

20. Deed from Anton L. Witte and wife, dated August 14, 1903, conveying 54.31 acres. Recorded in Land Record 43, page 18, of same records.

21. Deed from John W. Gibson and wife, dated August 14, 1903, conveying 40.43 acres. Recorded in Land Record 43, page 34, of same records.

22. Deed from Abraham R. Nicholas and wife, dated August 14, 1903, conveying 220.96 acres. Recorded in Land Record 43, page 16, of same records.

23. Deed from Charles F. Witte and wife, dated August 15, 1903, conveying 20 acres. Recorded in Land Record 43, page 17, of same records.

24. Deed from Cory E. Kane and husband, dated August 17, 1903, conveying 40.53 acres. Recorded in Land Record 43, page 22, of same records.

25. Deed from Mary E. Kidwell and husband, et al., dated August 21, 1903, conveying an undivided seventeen-twentieths of 89.98 acres. Recorded in Land Record 43, page 37, of same records. (See numbers 36, 37, and 38, infra.)

26. Deed from John N. Baker and wife, dated August 25, 1903, conveying 29.01 acres. Recorded in Land Record 43, page 7, of same records.

27. Deed from John L. Brown and wife, dated August 27, 1903, conveying 80 acres. Recorded in Land Record 43, page 23, of same records.

28. Deed from Owen E. Day and wife, dated August 27, 1903, conveying 33.21 acres. Recorded in Land Record 43, page 30, of same records.

29. Deed from Mary Ann Reddick, dated August 27, 1903, conveying 4 acres. Recorded in Land Record 43, page 20, of same records.

30. Deed from Lawson Reddick and wife, dated August 27, 1903, conveying 1 acre. Recorded in Land Record 43, page 19, of same records.

31. Deed from Lewis E. Baker and wife, dated August 29, 1903, conveying 51.27 acres. Recorded in Land Record 43, page 5, of same records.

32. Deed from Harriet H. Spees, dated August 31, 1903, conveying 93.84 acres. Recorded in Land Record 43, page 15, of same records.

33. Deed from Eliza A. Welmington et al., dated August 31, 1903, conveying 60.62 acres, except two rights of way. Recorded in Land Record 43, page 35, of same records.

34. Deed from Noah Spees and wife, dated September 5, 1903, conveying 48 acres. Recorded in Land Record 43, page 36, of same records.

35. Deed from Robert H. Acre and wife, dated September 8, 1903, conveying 8.35 acres. Recorded in Land Record 43, page 32, of same records.

36. Guardian's deed from Annie McCormick, dated September 23, 1903, conveying the undivided one-twentieth of certain land therein described. Recorded in Land Record 43, page 3, of same records.

37. Guardian's deed from Louisa McCormick, dated October 3, 1903, conveying the undivided one-twentieth of certain land therein described. Recorded in Land Record 43, page 38, of same records.

38. Guardian's deed from Charles A. Offenbacker, dated October 15, 1903, conveying the undivided one-twentieth of 89.98 acres. Recorded in Land Record 43, page 39, of same records.

39. Quit-claim deed from Samuel T. Beaver, Trustee, etc., dated February 4, 1904, conveying 1 acre. Recorded in Land Record 42, page 491, of same records.

40. Deed from Mary A. Roberts and husband, dated February 27, 1904, conveying 259.34 acres. Recorded in Land Record 43, page 40, of same records.

For jurisdiction see General Act of Cession.

Revocable Licenses: License, June 28, 1904, to Indiana Union Traction Company to construct, maintain and operate a temporary track on reservation.

License, July 14, 1906, to same for electric railway on reservation.

CROWN HILL NATIONAL CEMETERY.

This reservation, containing 1.37 acres, was established as a National Cemetery in 1866, and is situated in Center Township, Marion County, near Indianapolis, being described as Section 10 on the plat of the Crown Hill Cemetery as recorded in the office of the Recorder of said Marion County. The title is as follows:

Deed from the Crown Hill Cemetery (a corporation), dated August 27, 1866, and recorded in the Crown Hill Cemetery records, Book 1, page 6, February 18, 1867.

For jurisdiction see Act of Congress approved July 1, 1870, as set out under title " General Act of Cession."

GREEN LAWN CEMETERY.

This reservation contains the remains of the Confederate Soldiers who died here as prisoners of war. It is situated in the city of Indianapolis, County of Marion. The title is as follows:

Deed from the Terre Haute and Indianapolis Railroad Company, dated June 15, 1870, conveying Lots Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 125, 126, 127, 128, 129, 130, 131, 133, 135 of Section D, and Lots Nos. 2, 4, 6, 8, 10, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 in Section F, according to the plot of said cemetery recorded in the office of the Recorder of Marion County.

For jurisdiction see General Act of Cession.

JEFFERSONVILLE DEPOT.

This reservation is located in Jeffersonville, Clark County, and contains an area of 17.40 acres.

The title is as follows: Deed from the City of Jeffersonville, dated December 2, 1870, conveying the 17.40 acres above mentioned, being all of Blocks 120, 121, 124 and Jefferson Square, in said City of Jeffersonville, together with the parts of streets dividing said blocks and squares. Recorded in the Recorder's Office in Book No. 61, pages 183, 184 and 185, of the deed records of Clark County.

Jurisdiction was ceded to the United States by Joint Resolution No. 2 of 1871, which is as follows:

" Whereas the City of Jeffersonville, Indiana, has granted and conveyed to the United States the premises hereinafter described for military purposes; and whereas, under existing laws, no permanent buildings can be erected thereon by the General Government until the State of Indiana shall have ceded to the United States her jurisdiction over the same: Now, therefore,

"*Be it Resolved*, That the State of Indiana hereby relinquishes and cedes to the United States all the rights and jurisdiction which she now possesses over the following described premises so long as said premises shall continue to be used by the United States for military purposes." (Premises described by courses and distances and as " containing seventeen and four-tenths (17.4) acres, more or less.")

See also General Act of Cession.

NEW ALBANY NATIONAL CEMETERY.

This cemetery contains 5.46 acres, and is situated near the City of New Albany, in Floyd County. The title is as follows:

Deed from Charles Bowman and wife, dated December 15, 1862, conveying 5.46 acres. Recorded in Deed Book No. 10, pages 144 and 145, of the deed records of Floyd County.

See General Act of Cession.

INDIAN TERRITORY.

FORT GIBSON NATIONAL CEMETERY.

This cemetery was a part of what was called the Fort Gibson Reservation. The original reservation contained 5,541 acres and was embraced within the lands of the Cherokee Nation, situated on the east bank of the Neosho River, ceded by Treaties dated February 14, 1833, December 29, 1835, and July 19, 1866. It was declared a military reservation by Executive Order dated January 25, 1870. Reservation abandoned and turned over to the Department of the Interior, excepting a piece of ground 600 feet in length by 500 feet in width on the Southwest Corner of reservation reserved, it being the site of the above-named cemetery, by Executive Order dated February 7, 1891, issued under the provisions of the Act of Congress approved July 5, 1884, providing for the transfer of reservations to the Department of the Interior when no longer needed for military purposes.

IOWA.

GENERAL ACTS OF CESSION.

"SECTION I. *Be it enacted, etc.*, That whenever the title to any real property, situated within the State of Iowa, shall become vested in the United States of America, to be used as a barracks, drill-ground, or fort, or for other military purposes, the full exclusive, and complete jurisdiction is hereby granted and ceded to the United States of America over such real property, and full consent to the acquisition of such real property is hereby given and granted by the State of Iowa to the United States, and all jurisdiction of the State of Iowa over such real property is hereby ceded and surrendered. All claims or right to levy taxes against said real property is also hereby fully released and surrendered." (Approved April 4, 1900. Laws of Iowa, 1900, p. 134.)

"SECTION I. *Be it enacted, etc.*, That the consent of the State of Iowa is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the Constitution of the United States, by purchase, condemnation, or otherwise, of any land in this state required for sites for custom houses, courthouses, post offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

"SECTION II. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby ceded to the United States, for all purposes except the serving upon such sites of all civil and criminal processes of the courts of this state; but the jurisdiction so ceded shall continue no longer than the United States shall own such lands.

"SECTION III. The jurisdiction ceded shall not vest until the United States shall have acquired title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from

all state, county and municipal taxation, assessment or other charges which may be levied or imposed under the authority of this state." (Approved March 27, 1902. Laws of Iowa, 1902, p. 165.)

FORT DES MOINES.

This reservation contains 400 acres, situated near the city of Des Moines, comprising the tracts named in G. O. No. 103, A. G. O., Aug. 5, 1901. It was established under Act of Congress, approved April 4, 1900.

The title is as follows:

1. Deed from James Denney and wife, dated June 20, 1901, conveying 160 acres. Recorded in Book 404, page 553, of the records of Polk County.

2. Deed from Robertson M. Brisco and wife, dated June 21, 1901, conveying 240 acres. Recorded in Book 404, page 554, of same records.

A right of way for a sub-surface drain from the Military reservation was secured by deeds from the following named persons through their respective lands, at the dates given:

In Polk County:

1. S. W. Reynolds and wife, April 10, 1902.
2. H. S. De Witt and wife, April 11, 1902.
3. D. Mulholland and wife, April 17, 1902.
4. Carlos F. Smith and wife, June 9, 1902.
5. Effie S. Spitznagle and husband, June 14, 1902.
6. Lura Warrick, widow, June 14, 1902.

The above six deeds are recorded in Book 426, pages 121, 122, 120, 134, 138 and 139, respectively, of the records of Polk County.

The right of way continues in Warren County by virtue of the following deeds:

1. H. E. McGriff and wife, May 1, 1902.
2. Carlos F. Smith and wife, June 9, 1902.
3. Grant of Easement by the Governor and Auditor of the state, June 25, 1902.
4. Robert Spilmer and wife, September 3, 1902.

The above four deeds are recorded in Book 55, pages 602, 600, 608 and 619, respectively, of the records of Warren County.

For jurisdiction see General Acts of Cession.

Revocable Licenses: License, April 1, 1902, to The Interurban Railway Company to construct line of tracks on reservation.

License, March 13, 1906, to Iowa Telephone Company, for telephone line for private telephone service.

License, April 13, 1906, to Des Moines Terminal Company for railway tracks on reservation.

TARGET RANGE.

(Fort Des Moines.)

This reservation contains about 526 acres in Warren County as announced in G. O. 33, A. G. O. March 19, 1903. The title is as follows:

1. Deed from Norton J. Loomis and wife, dated July 26, 1902, conveying 80 acres. Recorded in Book 61, page 189, of the records of Warren County.

2. Deed from Grant U. Herrick, dated July 30, 1902, conveying 20 acres. Recorded in Book 61, page 187, of same records.

3. Deed from C. L. Watrous and wife, dated October 13, 1902, conveying 313 acres, more or less. Recorded in Book 61, page 188. of same records.

4. Deed from H. D. Thompson, dated December 11, 1902, conveying 113 acres, more or less. Recorded in Book 61, page 186, of same records.

For jurisdiction see General Acts of Cession.

KEOKUK NATIONAL CEMETERY.

This cemetery contains an area of about 2.75 acres, and is situated near Keokuk, Lee County. The title is as follows:

1. Deed from the City of Keokuk, dated August 28, 1866, conveying the tract of land therein described, being a part of Oakland Cemetery adjacent to Keokuk, in Lee County. Recorded in Book No. 27, page 117, of the deed records of Lee County.

2. Deed from Hiram Barney and wife, dated August 5, 1870, conveying Fractional Block No. 107 and Lots 1, 2, 3, and 4 in Block No. 108, all in Mason's lower addition to the City of Keokuk. Recorded in Book No. 33, page 569, of same records.

3. Deed from John Oertell and wife, dated August 30, 1871, conveying Lots 5 and 6 in Block No. 108 in Mason's lower addition to the City of Keokuk. Recorded in Book No. 36, page 77, of same records.

4. Deed from the City of Keokuk, dated December 17, 1874, conveying the lands therein described for cemetery purposes. Recorded in Book No. 40, page 76, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 11, 1872, and by an act approved March 4, 1876. These acts provide as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of this General Assembly be, and the same is hereby, given to the purchase by the United States of certain parcels of land situate in Lee County, known and described as fractional block 107, and lots number(s) one, two, three, four, five, and six, in block 108, Mason's Lower Addition to the city of Keokuk, Iowa, the same to be used for cemetery purposes by the United States Government." (Approved March 11, 1872.)

"SECTION 1. *Be it enacted, etc.*, That the consent of this General Assembly, be and the same is hereby, given to the purchase by the United States of America of certain parcels of land situate in Lee County, known and described as so much of Keokuk Avenue as lies north of block one hundred and eight (108), Mason's lower addition to the city of Keokuk, and so much of G street as lies between blocks one hundred and seven (107) and one hundred and eight (108), in said addition, and the small triangular piece of land formed by the northerly and southerly sides of said block one hundred and seven (107) continued until said lines meet; also to a certain parcel of land known and described as the 'soldiers' burial ground,' lying within Oakland cemetery, together with a strip of land twenty (20) feet wide extending the entire length of the said 'soldiers' burial ground,' all situate within the city of Keokuk, Iowa.

"SEC. 2. The jurisdiction of the State of Iowa in and over the lands mentioned in the preceding section and in an act entitled 'an act giving the consent of the legislature of the State of Iowa, to the purchase by the United States of certain real estate,' approved March 11, 1872, shall be and the same is hereby ceded to the United States; *Provided*, That the jurisdiction hereby ceded shall continue no longer than the United States shall own or occupy said lands." (Approved March 4, 1876.)

OAKDALE CEMETERY.

This cemetery is located near Davenport, in Scott County, and that portion used as a National Cemetery is described in the following:

Deed from The Oakdale Cemetery Company, dated June 26, 1866, conveying Lot No. 140 in Section 2, and also that portion of the center of section 2 upon which seven soldiers have been interred, as laid down on the plat of said cemetery. Also a portion of lot No. 13 described. Recorded in Book U of Town Lot deeds, pages 275 and 276, of the deed records of Scott County.

WESTERN APPROACH TO ROCK ISLAND.

This property consists of the North end and abutments of the bridge at and the wagon approach on the Iowa side. The title is as follows:

Consent of the municipal authorities of the City of Davenport to location of same, by an ordinance passed ————.

Jurisdiction was ceded to the United States by an Act of the State Legislature approved March 26, 1878, as follows:

"Whereas, The Government of the United States have caused to be erected across the Mississippi River at the City of Davenport, Iowa, a wagon road and railroad bridge, connecting the Iowa shore with the Rock Island Arsenal; and

"Whereas, The abutments and the wagon approach to said bridge on the Iowa shore are located in public streets and on the bank of said river in the said City of Davenport by the consent of the municipal authorities of said city: Therefore, *Be it enacted, etc.*,

"SECTION 1. That exclusive jurisdiction is hereby ceded to the United States over that part of the Rock Island Arsenal Bridge across the Mississippi River at Davenport, Iowa, which is north of the middle of the main channel of the said river, and also over the plat of ground occupied by the abutments and the wagon approach to the north end of said bridge, more particularly described as follows: * * * *Provided, however*, That so much of said public streets (of the city of Davenport) as are occupied by said wagon approach shall be forever kept and maintained as a public highway without expense to the said city of Davenport: *And provided further*, That this act shall not be held or constructed to add to, diminish, or prejudice any rights or privileges now held by any railroad company to use said approach for the purposes of a railroad track. Nor shall the jurisdiction hereby conceded be held or construed to impair, prejudice, or *effect* (affect) the right of the city of Davenport, or any other taxing

power, to assess and collect taxes upon any franchise, right-of-way, or other property, or privilege, which any railroad company may now or hereafter have, hold or possess in said bridge." (Laws of Iowa, 1878, Chap. 163, p. 149.)

KANSAS.

GENERAL ACT OF CESSION.

"SECTION 1. That the United States shall have power to purchase or condemn in the manner prescribed by law, upon making just compensation therefor, any land in the State of Kansas required for custom-houses, arsenals, national cemeteries, or for other purposes of the government of the United States.

"SEC. 2. The United States may enter upon and occupy any land which may have been or may be purchased or condemned or otherwise acquired, and shall have the right of exclusive legislation and concurrent jurisdiction, together with the State of Kansas, over such land and the structures thereon, and shall hold the same exempt from all state, county, and municipal taxation." (Approved March 28, 1872. Genl. Stats. Kansas, 1905, §§ 3960–3961.)

BAXTER SPRINGS NATIONAL CEMETERY.

This cemetery comprises a lot of about 1 acre, near the center of the Baxter Springs Cemetery, and is situated about 1 mile from the city of Baxter Springs, in Cherokee County. The title is as follows:

1. Deed from The City of Baxter Springs, dated April 10, 1869, conveying lot known as the "National Block." Recorded in Book A, pages 217 and 218, of the records of Cherokee County.

2. Deed from The City of Baxter Springs, dated May 3, 1875, conveying lot and right of way. Recorded in Book J, page 119, of same records.

3. Deed from The City of Baxter Springs, dated November 21, 1877, and action of the City Council ratifying same, dated February 8, 1878, conveying a strip adjoining cemetery. Recorded in Book Q, pages 99 and 100, of same records.

4. Deed from The City of Baxter Springs, dated ———, 1887, conveying additional ground for cemetery. Recorded June 29, 1887, in Book 17, page 449, of same records.

For jurisdiction see General Act of Cession.

FORT LEAVENWORTH.

This reservation contains a total area of 6,970,055 acres, of which 6,030.68 acres belong to the Post reservation on the west side of the Missouri River, in Leavenworth County, Kans., the remainder, 939.375 acres, being the timber reservation on the East side in Missouri. The title is as follows:

Part of the Louisiana purchase from France in 1803. A military post was established upon the present site May 8, 1827. By Executive Order dated October 10, 1854, the area of the reservation being ascertained by what is known as "Hunt's Survey," it was reserved

and set apart for military purposes. The timber reservation on the east side of the river in Missouri, was declared such for military purposes by Executive Order dated June 21, 1838, and reduced to its present size, July 12, 1843. The reservation in Kansas was later increased by the following additions:

1. Deed from Lorenz Kern, dated July 28, 1902, conveying 14.21 acres. Recorded in Book D, page 35, of the Transfer Records of Leavenworth County.

2. Deed from John J. Steinbach and wife, dated July 28, 1902, conveying 20.35 acres. Recorded in Book 188 of Conveyances, page 440, of same records.

3. Deed from Leo Hund and wife, dated July 28, 1902, conveying 20.90 acres. Recorded in Book 188 of Conveyances, page 443, of same records.

4. Deed from Mike Kern and wife, dated September 9, 1902, conveying 35.45 acres. Recorded in Book 188 of Conveyances, page 442, of same records.

Kansas was admitted into the Union as a State January 29, 1861, but the United States failed to retain jurisdiction over the original reservation. This was remedied by jurisdiction over that part of the reservation situated in the State of Kansas being ceded to the United States by an act of the State Legislature, approved February 25, 1875, which provides as follows:

"SECTION 1. That exclusive jurisdiction be and the same is hereby ceded to the United States over and within all the territory owned by the United States, and included within the limits of the United States military reservation known as the Fort Leaverworth reservation, in said state, as declared from time to time by the President of the United States, saving, however, to the said state the right to serve civil or criminal process within said reservation, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said state, but outside of said cession and reservation; and saving further to said state the right to tax railroad, bridge and other corporations, their franchises and property on said reservation." (Genl. Stats. Kansas, 1905, sec. 3963.)

(See Appendix, pages 426, 431, 442, 447.)

Easements: By Act of July 20, 1868, the Kansas and Missouri Bridge Company was granted permission to build a railroad, transit and wagon bridge across the Missouri River upon or near the military reservation of Fort Leavenworth. A right of way not exceeding 300 feet in width was also granted to any railroads leading to said bridge from either side of the river.

By Act of Congress, approved July 27, 1868, a right of way, not exceeding 100 feet in width, was granted to the Leavenworth and Des Moines Railway Company, to construct and operate a railway across the reservation on the east side of the Missouri River.

By Act of Congress, approved July 27, 1868, a right of way, not exceeding 100 feet in width, was granted the Leavenworth, Atchison and Northwestern Railway Company, to construct and operate a railroad across the reservation.

By Act of Congress, approved July 27, 1868, a strip of land 100 feet in width along the southern boundary of the reservation in the

State of Kansas, extending from the Missouri River to the western boundary thereof, was set apart for the perpetual and exclusive use of a public road.

By Act of June 23, 1884, the Leavenworth Bridge Company was granted authority to construct a bridge across the Missouri River at the city of Leavenworth.

By Act of Congress, approved July 3, 1886, a right of way, not exceeding 100 feet in width, was granted to the Leavenworth, Northern and Southern Railway Company to construct a railroad across the reservation. Right of way designated by the Secretary of War, May 6, 1887.

By Act of Congress, approved September 10, 1888, a right of way, 50 feet in width, was granted to the Leavenworth Rapid Transit Railway Company to construct and operate its railroad, from its terminus at the south boundary of the reservation to a point near the military prison, and to construct a depot and necessary side tracks, turntables, etc. Location of railroad and depot grounds approved by the Secretary of War, December 17, 1888.

Lease: Lease to Leavenworth City and Fort Leavenworth Water Company, June 15, 1889, of tract containing 9.75 acres, more or less, in the south eastern portion of the reservation, pursuant to act of Congress, approved March 2, 1889, for the purpose of constructing and maintaining thereon a reservoir.

Revocable Licenses: License, June 17, 1863, to Leavenworth City Railroad Company to cross the reservation.

License, February 9, 1886, to Grant Monument Association to erect monument on reservation.

License, June 27, 1889, to Louis M. Fink, Bishop of Leavenworth, to erect church and school building on tract of land 200 feet square set apart for that purpose.

License, February 15, 1898, to members of the officers' mess to light the mess building by electricity and for this purpose to place a line of poles on the reservation.

License, August 25, 1900, to the Kansas City-Leavenworth Railway Company to construct and operate a line of electric railroad across the reservation, with permission to place a " Y " and waiting room.

License, April 8, 1901, to People's Telephone Company to extend its lines across reservation on the east side of the Missouri River to the highway leading to Platt City, Missouri.

License, July 12, 1901, to Leavenworth, Kansas and Western Railway Company to lay a spur from its main track on the military reservation to the line of the new penitentiary grounds.

License, October 1, 1901, to the Postal Telegraph-Cable Company to construct a telegraph line along the southern boundary of the reservation.

License, February 28, 1901, to the Postal Telegraph-Cable Company to erect and maintain a line across the Fort Leavenworth Timber Reserve in Missouri.

License, October 27, 1905, under Act of Congress, approved May 31, 1902, to the International Committee Y. M. C. A. for building on reservation.

Licenses, May 9, 1906, to People's Telephone Company and Missouri and Kansas Telephone Company for telephone lines on reservation.

FORT LEAVENWORTH NATIONAL CEMETERY.

This cemetery contains an area of 5 acres and is a part of the Fort Leavenworth Military Reservation. (See Fort Leavenworth for title, etc.)

MOUND CITY (SOLDIERS' BURIAL LOT).

This lot is situated at Mound City, in Linn County, and contains 9,164 square feet. The title is as follows:

Deed from the Mound City Cemetery Association of Mound City, dated July 11, 1870, conveying the above tract. Recorded in Book 15, page 254, of the deed records of Linn County.

For jurisdiction, etc., see General Act of Cession.

FORT RILEY.

The area of this reservation is 19,899.22 acres. It is situated on the Kansas River, about 3½ miles from Junction City, in Geary County. The title is as follows:

Included in the Louisiana purchase from France in 1803, it became a part of the public domain and was, by Executive Order, dated May 5, 1855, declared a reservation for military purposes.

By Joint Resolution of Congress, approved March 2, 1867, a portion of the reservation was released to the state of Kansas to aid in the construction of a bridge over the Republican River. Under authority of Act of Congress, approved July 26, 1866, the President, by Executive Order, dated July 19, 1867, set apart and granted to the Kansas Pacific Railway Company, 20 acres in the bottom opposite Riley City. This latter tract was surrendered to the United States by the successors of the above railway company by the following deed:

Quit-claim deed from the Union Pacific Railroad Company, dated August 19, 1902, conveying 20 acres. Recorded in Book 5 of Deeds, pages 355 to 358, of the records of Geary County.

Jurisdiction was ceded to the United States by an act of the State Legislature February 16, 1889, which provides as follows:

"SECTION 1. That exclusive jurisdiction be, and the same is hereby, ceded to the United States over and within all the territory owned by the United States and included within the United States military reservation known as the Fort Riley military reservation, in said state, as declared May 5, 1855, by the President of the United States, and reduced by joint resolution of the senate and house of representatives of the United States, approved March 2, 1867, saving, however, to the said state the right to serve civil or criminal process within said reservation in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said state (but outside of said cession and reservation), and saving further to said state the right to tax railroad, bridge, and other corporations, their property and franchises, and the property of citizens, not otherwise exempt, on said reservation." (Genl. Stats. Kansas, 1905, sec. 3964.)

Easements: Act of Congress, approved May 9, 1888, granted a right of way for railway, telegraph and telephone line upon the reservation to the Kansas Valley Railroad Company.

Act of Congress, approved February 27, 1891, and extended by Act of March 6, 1894, granted a right of way upon the reservation to the Junction City and Fort Riley Rapid Transit Street Railway Company.

Revocable Licenses: License, August 30, 1900, to H. P. Wareham to erect and maintain a telephone line across the reservation.

License, January 16, 1901, to the Electric Railway, Light and Ice Company to construct and maintain an electric railway on the reservation.

License, March 18, 1901, to the State Historic Society to take possession of the ruins of the old station building which was the first Kansas Capitol at Pawnee.

License, January 15, 1902, to the Boards of County Commissioners of Geary and Riley counties to extend a public highway across the reservation from its northern boundary to the Washington Street Republican River Bridge, under authority of Act of Congress, approved July 5, 1884.

License, January 15, 1902, to the Electric Railway Light and Ice Company to erect a depot at the terminus of its line on the reservation.

License, August 25, 1902, to the Union Pacific Railway Company to extend its two tracks beyond its right of way on the reservation, one 800 feet, and the other 1050 feet.

License, November 21, 1903, to the Union Pacific Railroad Company to maintain the spur tracks and platform erected by said company on the reservation.

License, October 10, 1905, to Union Pacific Railroad Company to maintain side tracks.

License, October 10, 1905, to Union Pacific Railroad Company for dwelling, etc., for use of station agent.

License, July 19, 1906, to Missouri & Kansas Telephone Company for telephone line on the reservation.

FORT SCOTT NATIONAL CEMETERY.

This cemetery contains an area of 10.26 acres and is situated at Fort Scott, in Bourbon County. The title is as follows:

1. Deed from The Fort Scott Town Company, dated October 16, 1868, conveying 5 acres in SW. ¼, Sec. 32, T. 25, R. 25 E. Recorded in Book G, page 520, of the deed records of Bourbon County.

2. Deed from John G. Stewart and wife, dated October 16, 1868, quit-claiming all interest in above 5 acres. Recorded in Book G, page 519, of same records.

3. Deed from J. G. Scott et al., dated May 19, 1873, conveying by quit-claim 56 rods of land. Recorded in Book Q, page 400, of same records.

4. Deed from B. F. Hepler and wife, dated June 3, 1873, conveying 56 rods of land. Recorded in Book Q, page 403, of same records.

5. Deed from Board of Trustees of "The First Presbyterian Church of Fort Scott," dated August 15, 1873, conveying the "Presbyterian Cemetery," being part of the SW. ¼ of Sec. 32, T. 25, R. 25. Recorded in Book R, page 493, of same records.

6. Deed from John G. Stewart and wife, dated August 15, 1873, conveying 4.91 acres. Recorded in Book R, page 491, of same records.

7. Deed from W. S. Relfe, Superintendent of Insurance Department of Missouri, dated August 6, 1880, conveying a roadway to the National Cemetery, etc. Recorded in Book No. 30, page 244, of same records.

8. Deed from James R. Bowman et al., dated August 7, 1880, conveying a roadway, etc. Recorded in Book No. 30, page 248, of same records.

9. Deed from John Farnsworth and wife, dated August 16, 1880, conveying a roadway, etc. Recorded in Book No. 30, page 235, of same records.

10. Deed from Ira D. Bronson and wife, dated September 1, 1880, conveying a roadway, etc. Recorded in Book No. 30, page 239, of same records.

11. Deed from Charles H. Morley and wife, dated September 1, 1880, conveying a roadway. Recorded in Book No. 30, page 238, of same records.

12. Deed from Annie R. Bowden and husband, dated September 25, 1880, conveying a roadway. Recorded in Book No. 33, page 243, of same records.

13. Deed from James H. Wilson and wife, dated November 6, 1880, conveying a roadway. Recorded in Book No. 30, page 234, of same records.

14. Deed from James M. Lee et al., dated February 25, 1881, conveying a roadway. Recorded in Book No. 30, page 242, of same records.

15. Deed from Eliza A. Marr and husband, dated March 1, 1881, conveying a roadway. Recorded in Book No. 30, page 236, of same records.

16. Deed from Cyrus Newkirk et al., dated March 4, 1881, conveying a roadway. Recorded in Book No. 30, page 246, of same records.

17. Deed from Fort Scott and Gulf Railroad Company, dated April 1, 1881, conveying a roadway. Recorded in Book No. 29, page 378, of same records.

18. Deed from George W. Williamson and wife, dated April 12, 1882, conveying a roadway. Recorded in Book No. 32, page 606, of same records.

19. Deed from Eli Hollingsworth and wife, dated November 15, 1880, releasing roadway. Recorded in Book No. 30, page 240, of same records.

20. Deed from Milton Hollingsworth and wife, dated October 26, 1880, releasing a roadway. Recorded in Book No. 30, page 241, of same records.

21. Deed from C. H. Morley and wife, dated March 9, 1881, releasing a roadway. Recorded in Book No. 30, page 253, of same records.

22. Deed from the Board of County Commissioners of Bourbon County, dated May 23, 1882, releasing the roadway in said city of Fort Scott to Cemetery. Recorded in Book No. 33, page 311, of same records.

Jurisdiction over a portion of the cemetery was ceded to the United States by an act of the State Legislature, approved March 2, 1870, which provides as follows:

"SECTION 1. The assent of the State of Kansas is hereby given to the purchase of land heretofore made by the United States, under the act of Congress, approved February 22, 1867, for the purpose of a National Cemetery at Fort Scott, Kansas, said tract of land being the five acres situate near the City of Fort Scott, in Bourbon County, known as the 'government cemetery'; * * * and the jurisdiction of the State of Kansas over said tract of land is hereby ceded to the United States of America, and said land shall be forever free from taxation by or under the laws of this State; *Provided*, That nothing herein contained shall be so construed as to interfere with or prevent the service of process issued out of any of the courts of this State upon such tract of land, or to interfere in any way with the jurisdiction of this State to punish crimes and offenses against the law of this State committed thereon."

KENTUCKY.

GENERAL ACT OF CESSION.

"*Be it enacted, etc.*

"SECTION 1. That the Commonwealth of Kentucky hereby consents to the acquisition by the United States of America of all lands and appurtenances in this Commonwealth heretofore legally acquired, or that may be hereafter legally acquired, by purchase or condemnation, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings, including post-offices, custom-houses, and court-houses, also lands for locks, dams and canals in improving the navigation of the rivers and waters within and on the borders of the Commonwealth of Kentucky."

Approved August 16, 1892. (Kentucky Stats., 1903, sec. 2376.)

CAVE HILL NATIONAL CEMETERY.

This cemetery contains an area of 3.58 acres and is situated near the city of Louisville, in Jefferson County, being a portion of the public cemetery of that name. The title is as follows:

1. Deed from Cave Hill Cemetery Company, dated March 23, 1877, confirming the donation by said Company, made in 1861, of Section A, containing 28,418.80 square feet of ground. Recorded in Book 206, page 440 of the records of Jefferson County.

2. Deed from Cave Hill Cemetery Company, dated July 23, 1863, conveying Section B, containing 42,114 square feet. Recorded in Book 115, page 176, etc., of same records.

3. Deed from Cave Hill Cemetery Company, dated May 30, 1864, conveying Sections C and D, containing 52,455 square feet. Recorded in the Clerk's Office of the County Court of Jefferson County May 30, 1864.

4. Deed from Cave Hill Cemetery Company, dated June 4, 1868, conveying Section E, containing 4,991 square feet. Recorded in the Clerk's Office of the County Court of Jefferson County June 4, 1868.

5. Deed from Cave Hill Cemetery Company, dated June 19, 1893,

conveying a tract containing 15,934 square feet (marked A on plat). Recorded in Book 419, page 335, of the records of Jefferson County.

6. Deed from Ward Payne and wife, dated November 26, 1867, conveying the southward part of Lot 1, in square 8, in Payne's addition to the City of Louisville (for Keeper's Lodge). Recorded in Book 139, page 134, of same records.

7. Deed from Cave Hill Cemetery Company, dated November 12, 1897, conveying 2,366 square feet contiguous to above cemetery tract (for the purpose of erecting a rostrum). Recorded in Book 495, page 470, of same records.

For jurisdiction see Lebanon National Cemetery.

DANVILLE NATIONAL CEMETERY.

These cemetery lots contain about 0.31 acre, and are within the city cemetery at Danville, in Boyle County. The title is as follows:

Deed from the Board of Trustees of the Town of Danville, dated June 12, 1868, conveying Lots 10 to 17, inclusive, and from 30 to 41 inclusive (excepting 34 and 37) in Danville Cemetery. Recorded in Book 10, page 474, of the records of Boyle County, June 13, 1868.

For jurisdiction see Lebanon National Cemetery.

FRANKFORT. (SOLDIERS' LOT.)

This lot contains about 4,500 square feet, and is a part of the city cemetery at Frankfort, in Franklin County. The title is as follows:

Deed from The Frankfort Cemetery Company, dated January 4, 1868, conveying certain lots and parts of lots in said Cemetery, aggregating 4,500 square feet. Recorded same date in the Clerk's Office of the County Court of Franklin County.

For jurisdiction see Lebanon National Cemetery.

LEBANON NATIONAL CEMETERY.

This cemetery contains an area of about 2 acres, 3 roods, and 13.2 perches, and is situated near the town of Lebanon, in Marion County. The title is as follows:

1. Deed from James J. McElroy et al., dated April 6, 1867, conveying 2 acres, 1 rood, and 25 poles. Recorded in the Clerk's Office of the County Court of Marion County, July 9, 1868.

2. Deed from Charles Gohe and wife, dated August 18, 1875, conveying about 0.50 acre. Recorded January 26, 1876, in same records.

3. Release of J. F. McElroy, dated November 12, 1873. Recorded in the Clerk's Office of the County Court of Marion County, August 18, 1875.

Jurisdiction was ceded to the United States by the following act of the State Legislature, approved March 9, 1867:

"*Be it enacted, etc.*,

"SECTION 1. That the jurisdiction over the lands, parcels, or lots of ground purchased, obtained, used, or occupied by the United States, her officers or agents, for the burial of the Union dead, in the following-described cemeteries, burial places, and parts thereof, and over such other lands and parcels of ground as may hereafter be

required, purchased, obtained, used, or occupied by said common government for such purposes, together with all the buildings, improvements, and other property belonging thereto or connected therewith in this Commonwealth, is hereby ceded to and vested in the said United States, so long as such premises may be used, occupied, or required for the purpose of sepulture and the public service, except for the punishment of offenses hereinafter provided: Perryville National Cemetery, near Perryville, in Boyle County, about four acres; London, near London, Laurel County, about two acres; Camp Nelson, Jessamine County, about four acres; Lebanon, near Lebanon, Marion County, about two acres; Mill Springs, near Logan's Cross Roads, about two acres.

"SEC. 2. That all places of sepulture, lands, buildings, fixtures, improvements, and property of the United States thereon or connected therewith shall be held exonerated and exempt from any and all taxation and assessments under the authority of this state, or any county or other municipality therein, so long as the same shall remain in the use or occupation of the United States.

"SEC. 3. That any wilful, reckless, or voluntary mutilation of the graves, monuments, fences, shrubbery, ornaments, or grounds or buildings in or inclosing said cemeteries or places of sepulture shall subject the offender or offenders each to a fine of not less than ten dollars, to which may be added, in the discretion of the jury or court trying the case, imprisonment in the county jail or work-house not exceeding six months, to be prosecuted before any court having competent jurisdiction."

LEXINGTON NATIONAL CEMETERY.

This cemetery contains an area of 0.75 acre, and is situated within the City Cemetery of Lexington, in Fayette County. The title is as follows:

Deed from The Lexington Cemetery Company, dated July 1, 1867, conveying the above tract by metes and bounds. Recorded in the Clerk's Office of the County Court of Fayette County, May 29, 1868.

For jurisdiction see Lebanon National Cemetery.

MILL SPRINGS NATIONAL CEMETERY.

This cemetery contains an area of about 3.50 acres, and is situated near Logan's Cross Roads, about 8 miles from Somerset, in Pulaski County. The title is as follows:

Deed from William H. Logan and wife, dated July 5, 1867, conveying 3.50 acres. Recorded in the Clerk's Office of the County Court of Pulaski County, June 20, 1868.

For jurisdiction see Lebanon National Cemetery.

CAMP NELSON NATIONAL CEMETERY.

This cemetery contains about 9.50 acres, and is situated 7 miles southwest of Nicholasville, in Jessamine County. The title is as follows:

1. Deed from John D. Scott et al., dated August 26, 1872, conveying 7.25 acres, and also a strip extending to the Danville, Lancaster and

Nicholasville Turnpike, containing 1 acre, 1 rood, and 32 poles. Recorded in the Clerk's Office of the County Court of Jessamine County, October 16, 1872.

2. Deed from John D. Scott et al., dated April 18, 1874, conveying 1 acre. Recorded May 2, 1874, in same records.

For jurisdiction see Lebanon National Cemetery.

NEWPORT BARRACKS.

This reservation is situated in the city of Newport, at the confluence of the Ohio and Licking Rivers, and contains about 6 acres. The title is as follows:

1. Deed from Washington Berry, et al., Trustees of the Town of Newport, dated July 28, 1803, conveying 5 acres and 6 square poles, in the above city. Recorded in Book B, folio 345, of the records of Campbell County.

2. Deed from Washington Berry et al. Trustees of the Town of Newport, dated February 11, 1806, conveying Lot No. 34 and the alley between said lot and Lot No. 33. Recorded in Book C, Folio 102, of same records.

3. Deed from David Morton, dated February 14, 1806, conveying Lot No. 3. Recorded in Book C, Folio 101, of same records.

4. Deed from the Town of Newport, dated June 15, 1848, conveying additional land lying between the Ohio and Licking Rivers. Recorded in Book S, Folio 288, of same records.

Jurisdiction was ceded by the State Legislature by Acts approved December 26, 1803, and April 1st, 1880.

By Act of Congress approved July 31, 1894, the reservation was granted to the city of Newport for the purposes of a public park, with the condition that should the city ever cease to use it as such, or use it or any part of it for any other purpose, all right and title should revert to the United States.

FORT THOMAS.

This reservation contains 111 acres 2 roods and 39 poles; also a Rifle Range containing 169 acres; also the right of way to the station of the Chesapeake and Ohio Railroad, and right of way to the Ohio River for a sewer, all in Campbell County. See G. O. 111, War Dept., June 18, 1906. The fort is 3 miles from Newport on highlands overlooking the Ohio River and about 4 miles from Cincinnati. The post was established and lands purchased under authority of an Act of Congress approved March 3, 1887. The title is as follows:

1. Deed from Samuel Brigstaff and wife, dated August 20, 1887, conveying 39 acres 2 roods and 1 pole. Recorded in the Clerk's Office of the County Court of Campbell County, October 31, 1867, in Deed Book No. 45, pages 406 to 408, Newport Office.

2. Deed from Samuel Shaw and wife, dated August 23, 1887, conveying 27 acres 1 rood and 4 poles with certain reservations. Recorded October 31, 1887, in Deed Book No. 45, pages 411 to 413, same records.

3. Deed from Mary A. Happensack, dated August 25, 1887, conveying 29 acres and 34 poles. Recorded October 31, 1887, in Deed Book No. 45, pages 409 to 411, same records.

4. Deed from A. H. Bloom, dated August 27, 1887, conveying 15 acres and 3 roods. Recorded October 31, 1887, in Deed Book No. 45, page 414, same records.

The title to the Rifle Range is as follows:

1. Deed from William N. Taliaferro, dated May 1, 1891, conveying 169 acres. Recorded May 27, 1891, in Deed Book No. 51, page 475, Alexandria Office.

The title to the right of way to the station on the Chesapeake and Ohio Railroad is as follows:

1. Deed from William H. Truesdell and wife, dated March 5, 1889, conveying about 31,000 square feet. Recorded in the Clerk's Office of the County Court of Campbell County May 22, 1889, in Deed Book No. 49, page 406, Newport Office.

The title to the right of way for sewer purposes is as follows:

1. Deed from Samuel W. Hills and wife, dated February 4, 1889, conveying the right and privileges therein described. Recorded June 7, 1889, in Deed Book No. 49, page 446, same records.

2. Deed from Charles Birkly and wife, dated March 6, 1889, conveying the right and privileges therein described. Recorded May 22, 1889, in Deed Book No. 49, page 409, same records.

3. Deed from Martha Stewart and others, dated March 7, 1889, conveying the right and privileges therein described. Recorded in the Clerk's Office of the County Court of Campbell County, in Deed Book No. 49, page 411, Newport Office.

Jurisdiction over the main reservation was ceded to the United States by an act of the State Legislature approved February 29, 1888. This act provides as follows:

"Whereas, By virtue of an act of Congress approved March 3, 1887, authorizing the purchase by the United States of a suitable site in Campbell County, Kentucky, for the location of a military post, and making appropriations for the erection of suitable buildings thereon, the Bigstaff, Happensack, Bloom, and Shaw tract of land, near Newport, was selected and paid for, but before building operations can be commenced, it is necessary, under the provisions of Section 355, Revised Statutes of the United States, that the consent of the Legislature of the State of Kentucky should be obtained, and that jurisdiction over the land in question should be ceded to the United States; Therefore, *Be it enacted, etc.*,

"Section 1. That the consent of the State of Kentucky to the purchase of the tract of land mentioned in the preamble to this act, for the purposes therein named, by the United States, be, and is hereby, given, and the United States shall have, hold, use and occupy said land as provided for by this act.

"Sec. 2. That exclusive jurisdiction over said tract of land be, and is hereby, ceded to the United States, so long as they remain the owners thereof, for all purposes, except the administration of the criminal laws of this Commonwealth, and the service of any civil process thereon; and said tract of land, and the improvements which may be erected thereon, shall be exempt from State, county and municipal taxes so long as it shall remain the property of the United States."

(A proviso follows, securing to the "trustees of Covington reservoir and the City of Covington" the right to lay and maintain a 30-inch water main, and the right of access thereto over parts of said lands.) Approved February 29, 1888.

See General Act of Cession for jurisdiction over Rifle Range.

Revocable license, March 8, 1906, to The Citizens Telephone Company of Cincinnati, for telephone line to post.

LOUISIANA.

GENERAL ACT OF CESSION.

"SECTION 1. *Be it enacted, etc.*, That the United States shall have power to purchase or condemn in the manner prescribed by law, upon making just compensation therefor, any land in the State of Louisiana not already in use for public purposes, required for custom-houses, court-houses, arsenals, national cemeteries, or for other purposes of the government of the United States.

"SEC. 2. *Be it further enacted, etc.*, That the United States may enter upon and occupy any land which may have been or may be purchased or condemned, or otherwise acquired, and shall have the right of exclusive legislation, and concurrent jurisdiction, together with the State of Louisiana, over such land and the structures thereon, and shall hold the same exempt from all State, parochial, municipal, or other taxation."

(Approved July 6, 1882.)

ALEXANDRIA NATIONAL CEMETERY.

This cemetery contains an area of 8.24 acres, which, with the roadway belonging thereto, is situated at Pineville, in the Parish of Rapides. It was taken possession of for cemetery purposes under the act of Congress approved February 22, 1867, and title acquired as follows:

Decree of condemnation for Lot 24 in Poissin Division of the village of Pineville, in the Parish of Rapides, containing 8.24 acres, in Cause No. 7248, Ex parte, Secretary of War, in the Circuit Court of the United States for the Fifth Circuit and District of Louisiana. Decree rendered and filed with the record in said cause in the Clerk's Office of said Court at New Orleans, April 26, 1875.

The title to the Roadway is as follows:

1. Donation from The Town of Pineville, dated October 5, 1888, conveying a right of way, etc. Recorded in the Clerk's Office at Alexandria, October 5, 1888.

2. Donation from Robert Aaron, Individual and as Tutor, dated January 5, 1889, conveying additional right of way. Recorded in the Office of the Clerk of the District Court, in Book of Donations, pages 1 and 2.

3. Donation from Henry Robinson, dated January 5, 1889, conveying additional right of way. Recorded in the Office of the Clerk of the District Court, in Book of Donations, page 1.

Jurisdiction over National Cemeteries was ceded to the United States by the act of the State Legislature, approved July 6, 1882 (for which see General Act of Cession), and by the following act, approved September 16, 1868:

"*Whereas*, the United States of America have purchased, or are about to purchase and set apart certain tracts of land in the State of Louisiana, hereinafter described, to be used and maintained at

their own expense, *in perpetua*, as National Cemeteries for the interment of the remains of United States soldiers, deceased; and

"*Whereas*, the laws of said United States provide that no public money shall be expended for the purchase of any land within any State of the United States until a cession of the jurisdiction by the Legislature of the State; and

"*Whereas*, a formal application has been filed by the said United States, through their properly accredited representative, for the aforesaid cession, so far as relates to the lands hereinafter described; now, therefore,

"*Be it resolved, etc.*, That the State of Louisiana relinquish all jurisdiction over the hereinafter described lands and premises in said State purchased or to be purchased and set apart for the purposes aforesaid, and that such jurisdiction be, and the same is hereby ceded to and forever vested in the United States. * * *

"All that certain tract, piece or parcel of land, situated, lying, and being in the city of Baton Rouge and designated on a map of a survey of said city made by Henry and Wm. G. Waller, city surveyors, as squares numbers nineteen (19), twenty (20), and twenty-one (21). * * *

"Also, all that certain other tract of land, piece or parcel of land, situate, lying and being at Chalmette, in the parish of St. Bernard, and State of Louisiana, about four miles below the city of New Orleans, and on the easterly bank of the Mississippi River, and designated by the letters A, B, C, D, E and F, on a map or plan drawn by Louis H. Pilie, late city surveyor, dated January 29, 1867, and deposited in the office of the city notary for reference as plan number twenty (20). * * *

"Also, all that certain other tract, piece and parcel of land situate in the Parish of East Baton Rouge, in said State of Louisiana * * * about one mile below Port Hudson, * * * containing about eight acres. * * *

"Also, all that certain other tract, piece or parcel of land situated at Pineville in said State." * * *

BATON ROUGE NATIONAL CEMETERY.

This cemetery contains an area of 7.50 acres, and is situated at Baton Rouge, in the Parish of East Baton Rouge. The title is as follows:

1. Act of sale from Simonna Bareno, dated October 16, 1868, conveying Squares Numbered 19 and 20 of the City of Baton Rouge. Recorded in Book X, folio 218, of Notarial Acts in the Office of the Recorder of Deeds in the Parish of East Baton Rouge.

2. Act of sale from Pierre Baron and wife, dated October 16, 1868, conveying Square No. 21 of the City of Baton Rouge. Recorded in Book X, folio 219, of same records.

3. Grant from The City of Baton Rouge, dated April 21, 1873, of certain property for the purpose of building a wall, etc. Recorded in the Auditor's Office, Baton Rouge.

For jurisdiction see Alexandria National Cemetery, *ante*.

BATTERY BIENVENUE.

This reservation contains 934.7 acres in Township 12 South, Range 13 East, and is situated on the right bank of Bayou Bienvenue at the forks of said Bayou and Mazant. The lands were reserved for military purposes by Executive Order dated February 9, 1842, and included all "the public land 1,200 yards each way from the fort."

Jurisdiction was ceded to the United States by an act of the State legislature, approved June 1, 1846, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction and control over the sites of the following works of fortification be, and the same hereby are, granted and ceded to the United States, for military purposes, viz: Over Fort Jackson on the right bank of the Mississippi River, and over all the land lying within fifteen hundred Castilian varas (or thirteen hundred and ninety yards and a half), measured from the most salient parts of the works; over Fort Saint Philip, on the left bank of the Mississippi River, and over the section of land on which it is situated, being section eleven of township nineteen, range seventeen east, of the southeastern District of Louisiana; over Fort Pike, at Pass Rigolets, and over all the land within twelve hundred yards of the Fort, measured from the most salient parts of the works; over Fort Wood, at the Chef Menteur Pass, and over all the land within twelve hundred yards of the Fort, measured from the most salient parts of the works; over Battery Bienvenue, and over all the land within twelve hundred yards of the most salient parts of the same; over Tower Dupres, and over all the land within twelve hundred yards of the most salient parts of the same; and over such tract of land as the United States may reserve or purchase for the site of works of fortification at or near Proctor's Landing on Lake Borgne, not to exceed the area lying within twelve hundred yards of the most salient parts of such works of fortification:

"*Provided always*, and the cession and jurisdiction aforesaid are granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the said tracts of land, so far as that all civil and such criminal process as may issue under the authority of this Commonwealth, against any person or persons charged with crimes committed without the said tracts of land, may be executed therein in the same way and manner as though this cession and consent had not been made and granted, except so far as such process may affect the real or personal property of the United States within the ceded territory.

"SEC. 2. *Be it further enacted, etc.*, That the property over which jurisdiction is granted by this act, shall be exonerated and discharged from all taxes and assessments which may be levied or imposed under the authority of this State, while the said tracts of land shall remain the property of the United States, and shall be used for the purposes intended by this act."

CHALMETTE NATIONAL CEMETERY.

This cemetery contains an area of 13.60 acres, and is situated at Chalmette, about 4 miles below the City of New Orleans, on the east bank of the Mississippi River, in the Parish of St. Bernard. The title is as follows:

Deed of donation from the City of New Orleans, dated May 26,

1868, donating the above tract, describing the same by metes and bounds. Recorded in Conveyance Book No. 9, folios 366 to 368, of the deed records of the Parish of St. Bernard. Right of way from United States Barracks to National Cemetery granted by act under private signature, dated July, 1886, and Resolution of Police Jury of Parish of St. Bernard, of August 2, 1886. Recorded August 2, 1886, in Mortgage Book No. 12, folio 741; and January 11, 1905, in Conveyance Book No. 20, folio 438, et seq.

For jurisdiction see Alexandria National Cemetery, *ante.*

JACKSON BARRACKS.

This reservation contains an area of 87.87 acres, and is situated on the east bank of the Mississippi River, about 3 miles below the City of New Orleans, in the Parish of New Orleans. The title is as follows:

1. Act of sale from Pierre Cotteret and wife, dated December 14, 1833, conveying Lots 15 and 16 of the Parish lots. Recorded in the Office of the Register of Conveyances for the City and Parish of New Orleans, in Deed Book No. 14, page 471.

2. Act of sale from Mrs. Prudence Desilets, widow of Louis Badius, dated May 17, 1848, conveying parts of Lots 13 and 14 of Parish lots. Recorded in Deed Book No. 44, page 580, same records.

Jurisdiction was ceded to the United States by the act of the State Legislature, approved July 6, 1882, for which see General Act of Cession.

The Louisiana Southern Railway crosses the reservation. This track was built shortly after the purchase of the first parcel mentioned in Act of Sale number one, supra.

North Peters Street, a public highway, crosses the reservation along the water front. This highway was in existence at the time the parcel conveyed by Act of Sale number two, was acquired.

FORT JACKSON.

This reservation contains an area of about 557.6 acres, and is situated on the right bank of the Mississippi River about 73 miles below the city of New Orleans in the Parish of Plaquemines. The title is as follows:

Under Spanish and French occupation known as Fort Bourbon and as a fortification passed to the United States under the cession from France in 1803. A formal reservation for military purposes was made by Executive Order dated February 9, 1842, and afterwards modified by Executive Order dated October 26, 1847, so as to comprise all the public land lying 1,500 Castillian Varas from the most salient parts of the extreme outworks of the fort. See Records of Circuit Court of United States at New Orleans, La., November Term, 1903, M'Caleb *vs.* Booth, for recognition of lower boundary as established by survey of the Engineer Department of August 10, 1903.

For jurisdiction see Battery Bienvenue.

Revocable Licenses: License, August 16, 1887, to R. C. Wood and James Sweeney to construct telephone line on reservation.

License, October 6, 1904, to Department of Commerce and Labor to erect upon the reservation a square wooden beacon.

FORT LIVINGSTON.

This reservation contains an area of 126.16 acres, and is situated on the west end of Grand Terre Island, in the Parish of Jefferson, at the entrance or Grand Pass to Barataria Bay. The title is as follows:

Act of sale from Etienne de Gruy and wife, dated January 10, 1834, conveying the tract of 126.16 acres. Original on record in the office of Felix De Armas, at New Orleans, January 24, 1834, as required by law. Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 10, 1834, and by the deed of the Governor of the State dated May 14, 1834. The act provides as follows:

"SECTION 1. *Be it enacted, etc.*, That it shall be lawful for the Governor of this State, and he is hereby authorized for and in behalf of this State, by proper deed and instruments of writing under his hand and the seal of the State, to convey, transfer, assign and make over to the government of the United States, all the jurisdiction which this State possesses over the tract of land purchased by the United States for the purpose of erecting a fort thereon, situate in the parish of Jefferson, and known by the name of Grand-terre.

"SEC. 2. *And be it further enacted, etc.*, That after the cession aforesaid, if the said fort shall be suffered to fall into decay, or be rendered useless, and so continue for the period of seven years, then, in that case, the jurisdiction over such territory hereby directed to be vested in the United States, shall revert to this State, in like manner as if this act had never been passed."

Revocable License: License, September 5, 1895, to James W. Wilkinson to land parties on reservation and to put up a shelter on the southwest sea-wall of the fort as protection against sun and rain.

FORT MACOMB.

Formerly Fort Wood, and contained an area of 1,364.71 acres. The reservation is at Pass Chef Menteur, on Lake Borgne, in the Parish of New Orleans. Assuming it to be a part of the public domain it was reserved for military purposes by Executive Order dated February 9, 1842, which included all the public land lying within 1,200 yards of the fort, measured from the most salient parts of the work. Claims arising, based upon French grants, Executive Order dated June 20, 1896, transferred to the Department of the Interior all that portion of the reservation "which lies on the east side of Chef Menteur Pass, in sec. 28, T. 11 S., R. 14 E., Southern District of Louisiana." The area of the remainder is unknown.

For jurisdiction see Battery Bienvenue.

Revocable Licenses: License, June 30, 1893, to the Postal Telegraph-Cable Company to construct, maintain and use a line of telegraph across the reservation. Change of location authorized, January 30, 1905.

License, January 30, 1900, to the American Telephone and Telegraph Company of Louisiana to erect and maintain a line of telephone and telegraph poles and the necessary fixtures with wires across the reservation.

FORT PIKE.

This reservation contains all the land in Sec. 19, T. 10 S., R. 15 E., and is situated south of Great Rigolet on the northern margin of the Island of " Petites Coquilles," which divides Lake Borgne from Lake Ponchartrain, about 35 miles northeast of New Orleans. The land was reserved for military purposes by Executive Order dated February 9, 1842, and included the public lands within 1,200 yards of the Fort. All the land had been patented to the State as swamp except land described above.

For jurisdiction see Battery Bienvenue.

Revocable License: License, April 30, 1894, to the State of Louisiana and the city of New Orleans to occupy a portion of the reservation for the care, treatment and confinement of contagious diseases, and to use the made ground outside the outer west ditch of the fort for the residence of the attending physician.

PORT HUDSON NATIONAL CEMETERY.

This cemetery contains an area of 8 acres, and has also a right of way to the river at Hickeys Landing. It is situated at Port Hudson, in the Parish of East Baton Rouge. The title is as follows:

1. Act of sale from James H. Gibbons and wife, dated August 17, 1869, conveying 8 acres and the right of way from the Cemetery to Hickeys Landing on the Mississippi River. Recorded in the Recorder's Office of the Parish of East Baton Rouge, in Book H, page 514, of Notarial Acts.

2. Act of sale from Joseph and W. S. Slaughter, dated December 27, 1890, conveying a strip of land 60 feet wide by 4,650 feet long for right of way from Cemetery to Mississippi River. Recorded in Book No. 14, page 152, of same records.

For jurisdiction see Alexandria National Cemetery, *ante.*

PROCTOR'S LANDING MILITARY RESERVATION.

This reservation contains an area of about 100 acres and is situated at Proctorsville, at the foot of Lake Borgne, in the Parish of St. Bernard. The title is as follows:

Act of sale from Mrs. Mary Screven et al., dated March 15, 1856, conveying the above tract. Recorded in the Office of the Recorder for the Parish of St. Bernard, April 4, 1856, in Book No. 6 of Conveyances, folios 76 to 81, inclusive.

Jurisdiction over this place was ceded to the United States by act of the State Legislature, approved June 1, 1846 (for which see Battery Bienvenue), and by the following act, approved March 9, 1855:

" SECTION 1. *Be it enacted, etc.*, That the jurisdiction and control be ceded to the United States over such tract of land as the United States may reserve or purchase for the site of works of fortification at the foot of Lake Borgne; provided that the cession and jurisdiction aforesaid are granted upon the express condition that the State of Louisiana shall retain a concurrent jurisdiction with the United States in and over such tract of land, so far as that all civil and such criminal process as may issue under the authority of this Common-

wealth against any person or persons charged with crimes committed without the said tract of land, may be executed therein in the same way and manner as though this cession and consent had not been made and granted, except so far as such process may affect the real or personal property of the United States within the ceded territory.

"SEC. 2. *Be it further enacted, etc.*, That the property of which jurisdiction is granted by this act shall be exonerated and discharged from all taxes and assessments which may be levied or imposed under the authority of this State while the said tract of land shall remain the property of the United States and shall be used for fortification purposes."

FORT ST. PHILIP.

This reservation contains 1,145 acres, more or less, embracing the whole of Sec. 11, and portions of Secs. 12, 13, 14 and 15, T. 19 S., R. 17 E., Southeast District, East of the Mississippi River, nearly opposite Fort Jackson, in the Parish of Plaquemines. It was a fortified point under the French and Spanish occupation, passing to the United States as such in the cession from France in 1803. Section 11 was formally declared a reservation for military purposes by Executive Order dated February 9, 1842. The reservation was later increased by the following additions, aggregating 549.73 acres:

1. Decree of condemnation for 39.14 acres in Sec. 12, T. 19 S., R. 17 E., in cause 168, The United States *v.* Mrs. Sarah Alexis et al., in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered April 19, 1902, and recorded July 9, 1902, in Book 36, No. 183, folio 813, of Conveyances of Parish of Plaquemines.

2. Decree of condemnation for about 40 acres in Sec. 12, T. 19 S., R. 17 E. in cause 206, The United States *v.* the Heirs of John Butler et al., in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered January 3, 1903, and recorded January 5, 1903, in Book 37, No. 25, folio 132, of Conveyances of Parish of Plaquemines.

3. Decree of Condemnation for 40 arpents of land in cause 257, entitled "The United States *v.* John Morgan et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 1, 1903, and filed May 11, 1903, in Clerk's Office of said Court.

4. Decree of Condemnation for 40 arpents of land in cause 258, entitled "The United States *v.* Alexander Kelly et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 1, 1903, and filed May 11, 1903, in Clerk's Office of said Court.

5. Decree of Condemnation for 160 acres in cause 259, entitled "The United States *v.* John P. Lyons et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 1, 1903, and filed May 11, 1903, in Clerk's Office of said Court.

6. Decree of Condemnation for 40 arpents of land in cause 260, entitled "The United States *v.* Dominique Quatrochi et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 2, 1903, and filed May 11, 1903, in Clerk's Office of said Court.

7. Decree of Condemnation for 40 arpents of land in cause 261, entitled "The United States *v.* Edmond Buras et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 1, 1903, and filed May 11, 1903, in the Clerk's Office of said Court.

8. Decree of Condemnation for 20 arpents of land in cause 262, entitled "The United States *v.* Mrs. Marie Buras et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered May 1, 1903, and filed May 11, 1903, in Clerk's Office of said Court.

9. Decree of Condemnation for 20 arpents of land in cause 289, entitled "The United States *v.* John Bernard Fasterling et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered September 17, 1903, and filed September 25, 1903, in Clerk's Office of said Court.

10. Decree of Condemnation for 81 acres in cause 290, entitled "The United States *v.* Estate of Patrick Lyons et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered September 17, 1903, and filed September 25, 1903, in Clerk's Office of said Court.

11. Decree of Condemnation for a tract 126 feet front by 40 arpents depth in cause 291, entitled "The United States *v.* John C. Burton et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered September 17, 1903, and filed September 25, 1903, in Clerk's Office of said Court.

12. Decree of Condemnation for a tract 222 feet front by 40 arpents depth in cause 292, entitled "The United States *v.* The Estate of George O'Brien et al." in the 29th Judicial District Court, Parish of Plaquemines. Decree rendered September 17, 1903, and filed September 25, 1903, in Clerk's Office of said Court.

For jurisdiction see General Act of Cession.

MAINE.

GENERAL ACT OF CESSION.

"*Be it enacted, etc.*

"SECTION 1. That the jurisdiction of the state of Maine is hereby ceded to the United States of America over so much land as has been or may be hereafter acquired for the public purposes of the United States: *Provided*, That the jurisdiction hereby ceded shall not vest until the United States of America shall have acquired the title to the lands, by grant or deed, from the owner or owners thereof, and the evidences thereof shall have been recorded in the office where, by law, the title to such land is required to be recorded; and the United States of America are to retain such jurisdiction so long as such lands shall be used for the purposes in this section mentioned, and no longer; and such jurisdiction is granted upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States in and over the said lands, so far as that civil process, in all cases not affecting the real or personal property of the United States, and such criminal or other process as shall issue, under the authority of the state of Maine, against any person or persons charged with crimes or misdemeanors committed within or without the limits of the said lands, may be executed therein, in the same way and manner as if no jurisdiction had been hereby ceded.

SEC. 2. That all lands and the tenements which may be granted, as aforesaid, to the United States, shall be and continue, so long as the same shall be used for the purposes in the last section mentioned, exonerated and discharged from all taxes, assessments, and other

charges which may be imposed under the authority of the state of Maine." (Approved March 28, 1903. Laws of Maine, 1903, p. 146.)

AUGUSTA NATIONAL CEMETERY.

This cemetery property comprises Lots Numbered 17, 18, 19, 49, 50 and 51, in "Mount Pleasant Cemetery," in the City of Augusta, in Kennebec County. The title is as follows:

Deed from the City of Augusta, dated December 27, 1870, conveying Lots 17, 18, 19, 49, 50 and 51, in the east range of "Mount Pleasant Cemetery." Recorded in Vol. 274, page 531, of the Kennebec Registry of Deeds, together with a copy of the record of the order of the Board of Aldermen of the city of Augusta, passed November 26, 1870.

Jurisdiction was ceded by an act of the State Legislature approved February 4, 1889, as follows:

"*Be it enacted, etc.*, SECTION 1. That there be, and hereby is, ceded to the United States of America, the jurisdiction of lots number seventeen, eighteen, nineteen, forty-nine, fifty and fifty-one, in the east range of lots in Mount Pleasant Cemetery in the City of Augusta, said lots containing the graves of soldiers of the United States of America, whose names are unknown.

"SEC. 2. That this state shall have concurrent jurisdiction with the United States of America over the lots described in the first section of this act, so far, that all civil, criminal and military process, issued under the authority of this state, or any officer thereof, may be executed on any part of said lots, in the same manner as if this jurisdiction had not been ceded."

FORT BALDWIN.

Name given to military reservation at Sabino Head, mouth of the Kennebec River, by G. O. No. 20, W. D., January 25, 1906. This reservation contains an area of about 38.13 acres of upland, exclusive of right of way, and about 7 acres of flats, acquired as follows:

1. Deed from Anson M. Oliver, et al., February 22, 1902, conveying 0.877 acre of upland; recorded in Book 108, page 169, Deed Recorded in Book 100, page 448, deed records of Sagadahoc County.

2. Deed from Nathaniel Perkins and wife, January 23, 1905, conveying 0.877 acres of upland; recorded in Book 108, page 169, Deed Records of Sagadahoc County.

3. Deed from Nathaniel Perkins, et al., December 23, 1904, conveying about 7 acres of flats; recorded in Book 108, page 170, Deed Records of said County.

For *Jurisdiction*, see General Act of Cession.

FORT EDGECOMB.

This reservation contains an area of about 3 acres, and is situated in Edgecomb, Lincoln County. The title is as follows:

Deed from Moses Davis, dated June 13, 1808, conveying the above by metes and bounds. Recorded in Liber 68, folio 23, of the deed records of Lincoln County.

For jurisdiction see General Act of Cession.

FORT FOSTER.

This reservation contains about 50 acres, and is situated on Gerrish Island, in Kittery, in the County of York. The title is as follows:

1. Deed from Joseph T. Wiggin, dated May 15, 1873, conveying 30 acres of the above by metes and bounds. Recorded in Book 336, page 42, of the deed records of York County.

2. Deed from Adna B. Lane, dated May 29, 1873, conveying 10 acres and adjoining flats and right of way. Recorded in Book No. 336, page 157, of same records.

For jurisdiction see Fort Preble, where the Act of February 18, 1871, seems to cede jurisdiction. See also General Act of Cession.

FORT GORGES.

This reservation contains about 1.50 acres, and is situated on what is called "Hog Island Ledge," in Portland Harbor, 2 miles from Portland, Cumberland County. It is seven-eighths of a mile north of Fort Preble, about five-twelfths of a mile west of Great Hog Island, and about seven-eighths of a mile northwest of Fort Scammel.

Title and jurisdiction ceded to the United States by an act of the State Legislature, approved April 17, 1857, as follows:

"*Be it enacted, etc.*

"SECTION 1. Jurisdiction is hereby ceded to the United States over the "Hog Island Ledge," in the harbor of Portland, Maine, to include all of said "ledge" above or within low-water mark, and so much thereof without low-water mark as shall be bounded by lines drawn seven hundred yards distant from and parallel to the faces of any fort to be built thereon, for the purpose of carrying into effect an act of Congress, of March third, eighteen hundred and fifty-seven, providing for the commencement of a fortification on "Hog Island Ledge," in Portland Harbor, Maine. Jurisdiction is also ceded to the United States over any tract or tracts of land at or near the entrance to Kennebec River, Maine, that may be acquired by the United States for the purpose of carrying out an act of Congress of March third, eighteen hundred and fifty-seven, providing for the erection of 'fortifications at the mouth of the Kennebec River, Maine,' by building and maintaining thereon forts, magazines, arsenals, dockyards, wharves, and other structures, with their appendages, and over all the contiguous shores, flats, and waters, within four hundred yards from low-water mark; and all right, title and claim, which this State may have to or in the said 'Hog Island Ledge,' in Portland Harbor, and said tract or tracts at or near the entrance to Kennebec River, are hereby granted to the United States; *provided*, that this State shall retain a concurrent jurisdiction with the United States, in and over all the premises aforesaid, so far as that all civil processes and such criminal process as may issue, under the authority of this State, against any person or persons charged with crimes committed without the premises aforesaid, may be executed therein in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The premises over which jurisdiction is granted by this act, and all structures and other property thereon, shall be exonerated

and discharged from all taxes and assessments which may be laid or imposed, under the authority of this State, while said premises shall remain the property of the United States, and shall be used for the purposes intended by this act."

See also General Act of Cession.

Revocable License: License, May 10, 1890, to Emery Waterhouse and Company to build, maintain and use a powder-house upon the ledge or fill near the postern outside the works at Fort Gorges.

HANCOCK BARRACKS.

This reservation contains 24 acres 1 rood and 19 rods, and is situated at Houlton, in Washington County. The title is as follows:

1. Deed from Joseph Houlton, jr., dated July 5, 1828, conveying 24 acres and 59 rods. Recorded in Deed Book No. 1, page 277, of the deed records of Washington County.
2. Deed from Joseph Houlton, jr., dated January 30, 1829, conveying 15.50 rods. Recorded in Deed Book No. 2, page 17, of same records.

For jurisdiction see General Act of Cession.

KENNEBEC ARSENAL.

The site and grounds of this arsenal embrace about 39 acres and 140 square rods, also a right of way. It is situated in Augusta, on the east side of the Kennebec River, in Kennebec County. The title is as follows:

1. Deed from John H. Hartwell and wife, dated September 25, 1827, conveying 19 acres and 140 square rods. Recorded in Book 61, page 172 et seq., of the deed records of Kennebec County.
2. Deed from John H. Hartwell and wife, dated August 2, 1836, conveying 6 acres. Recorded in Book 98, page 345, of same records.
3. Deed from J. H. Hartwell and wife, dated August 2, 1836, conveying 14 acres. Recorded in Book 98, pages 346 and 347, of same records.
4. Lease for 999 years from John H. Hartwell and wife, for a strip as right of way adjoining Arsenal site. Recorded in Book 169, page 1, of same records.

The arsenal was abolished by order of the Secretary of War, May 1, 1901; and by deed, dated April 12, 1905, under Act of Congress, approved March 3, 1905, the premises were conveyed to the State of Maine for use of the Maine Insane Hospital, subject to possession being resumed by the United States "whenever the President in his discretion shall decide that the said property is needed for the uses of the United States or that the requirements of this Act are not strictly observed."

FORT KNOX.

This reservation contains an area of 124.50 acres, exclusive of roads, and is situated on the west bank of the Penobscot River, opposite the town of Bucksport, in Waldo County. The title is as follows:

1. Deed from John Pierce, dated September 4, 1843, conveying 52

acres and 135 rods. Recorded in Vol. 46, page 338, of the deed records of Waldo County.

2. Deed from Hannah R. Harriman et al., dated September 4, 1843, conveying 4 acres. Recorded in Vol. 46, page 339, of same records.

3. Deed from William French, dated September 25, 1843, conveying 7 acres and 79 rods. Recorded in Vol. 46, page 509, of same records.

4. Deed from Daniel H. Harriman, dated December 16, 1843, conveying two undivided third parts of land described therein. Recorded in Vol. 46, page 536, of same records.

5. Deed from William French, dated March 23, 1844, conveying 50 acres (including the 7 acres and 79 rods in Deed marked herein as "3"). Recorded in Vol. 50, page 178, of same records.

6. Deed from John Lee, dated March 23, 1844, conveying a plat of about 0.50 acre at the ferry site. Recorded in Vol. 50, page 180, of same records.

By an act of the State Legislature, approved March 12, 1844, jurisdiction was authorized to be ceded by the Governor. The Act provides as follows:

"SECTION 1. The consent of this Legislature is hereby granted, that the United States may purchase at the narrows of the Penobscot River in the town of Prospect and County of Waldo, the following lands namely: the farm of John Pierce, also another parcel of land adjoining the same, belonging to the widow and heirs of Benjamin Harriman, deceased; also a small parcel of land adjoining the second parcel, being about half an acre, belonging to John Lee; also the farm of William French, adjoining the farm of said Pierce, or of so much of said parcels of land as the United States may be desirous of purchasing.

"SEC. 2. After the United States shall have purchased the aforesaid lands, or so much thereof as they wish, and after they shall have surveyed the same, upon application of the United States to the Governor, for jurisdiction, describing the land purchased by metes and bounds, the Governor, with the advice and consent of Council, shall be and he hereby is authorized to cede jurisdiction over so much of said lands, to the United States, as shall have been purchased by them for the purpose of erecting fortifications and other purposes of national defense; reserving therein and thereby to the State its jurisdiction, so far as to have a right to execute within the limits of the tract so ceded, all civil and criminal processes lawfully issued under the authority of the State."

7. Deed from the Governor of the State ceding jurisdiction to the United States, in accordance with the foregoing Act of the State Legislature, was duly executed November 28, 1844, and recorded in the Office of the Secretary of State.

See also General Act of Cession.

FORT LEVETT.

This reservation contains an area of about 127.28 acres, and is situated on the southerly side of Cushing Island, in Portland Harbor, in the County of Cumberland, and includes also the land which lies between high and low water mark in front of said reservation. The title is as follows:

1. Decree of condemnation of said property, including right of way, all easements, etc., in a certain cause wherein the United States was plaintiff and Francis Cushing et al. were defendants in the District Court of the United States for the District of Maine. Decree rendered March 1, 1894; filed and recorded in the Clerk's Office of said Court.

2. Deed from Francis Cushing, dated March 27, 1894, conveying the land between high and low water mark, wharf, etc. Recorded in the Office of the Register of Deeds for Cumberland County, in Book No. 611, page 433.

3. Decree of condemnation for 92.28 acres in a cause entitled "The United States *v.* Francis Cushing et al.," in the United States Circuit Court for the District of Maine. Copy of final decree of Court entered February 1, 1904, and recorded in Book 747, Page 158, of same records.

For jurisdiction see General Act of Cession.

LONG ISLAND.

This reservation contains 9.594 acres and is situated on Long Island in Portland Harbor. The title is as follows:

Decree of condemnation for 9.594 acres in the Circuit Court of the United States, for the First Circuit, District of Maine, in a cause entitled "The United States *v.* Jeremiah M. Johnson et al." Final Order of Court entered February 1, 1904, and recorded in Book 747, page 158, of the records of Cumberland County.

For jurisdiction see General Act of Cession.

FORT LYON.

This reservation contains an area of about 22 acres, and comprises all of Cow Island, with its shores, etc., in Casco Bay, in Cumberland county. The title is as follows:

Deed from Mary L. Deering et al., dated November 29, 1873, conveying Cow Island, with an area of 22 acres, the shores, etc. Recorded in Plan Book 3, page 46, of the deed records of Cumberland County.

For jurisdiction, see Fort Gorges; see, also, Fort Preble, where act of February 18, 1871, seems to cede jurisdiction; see, also, General Act of Cession.

FORT McCLARY.

This reservation contains an area of about 15 acres, and is situated in York County, on Kittery Point, a projection into the Piscataqua River opposite Fort Constitution, in Portsmouth Harbor. It is 3½ miles from Portsmouth, N. H. The title is as follows:

1. Deed from Mercy Follett, dated May 22, 1846, conveying 1 acre and 49 rods. Recorded in Book 189, page 251, of the deed records of York County.

2. Deed from Robert G. Safford and wife, dated May 22, 1846, conveying 10 acres and 143 rods. Recorded in Book 189, pages 251-252, of same records.

3. Deed from Roger Deering and wife, dated May 22, 1846, conveying 13 acres and 62 rods. Recorded in Book 189, pages 252–253, of same records.

4. Deed from Isaac I. Stevens, dated October 14, 1846, conveying 1 acre and 49 rods. Recorded in Book 190, pages 264–265, of same records.

5. Deed from Isaac I. Stevens, dated October 14, 1846, conveying 13 acres and 62 rods. Recorded in Book 190, pages 263–264, of same records.

6. Deed from Isaac I. Stevens, dated October 14, 1846, conveying 10 acres and 143 rods. Recorded in Book 190, page 263, of same records.

7. The Inhabitants of School District No. 12, dated June 22, 1893, conveying, by way of exchange, a tract of land described. Recorded in Book 458, page 527, of same records. The United States, as a consideration, conveyed to said School District a tract of land described in a deed executed on the 4th day of December, 1893, by the Secretary of War, and recorded in said deed records. The said exchange was authorized on the part of the school district at an annual meeting held March 29, 1893, as shown by the records of said District at Kittery Point, and was made by the Secretary of War under and by virtue of the provisions of an Act of Congress approved January 23, 1893.

8. Title to and jurisdiction over the original site of Fort McClary were ceded by an Act of the General Court of Massachusetts approved March 12, 1808, as follows:

"SECTION 1. *Be it enacted etc.*, That all the right and title of this Commonwealth to a certain piece of land in Kittery, in the County of York and Commonwealth aforesaid, called Battery Pasture, on which a Fortification formerly stood; and is bounded on the North by the Road, on the west by Frollet, on the South by the River, and on the east by Frollet, and contains one acre and one hundred and thirty-nine rods, as will appear by a report made to the Hon. David Sewall, Esq., Agent for this Commonwealth, by Benjamin Parker, Surveyor, about the year Seventeen hundred and ninety-eight. Be and hereby is granted and ceded to the United States, for the sole purpose of erecting Fortifications for the defence of the United States.

"SEC. 2. *Be it further enacted*, That the cession aforesaid is granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the tract of land aforesaid, so far as that all civil and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the said tract of land may be executed therein, in the same way and manner as though this cession had not been made."

Jurisdiction over the additions to the original site was ceded by the following act of the State Legislature of Maine, approved June 31, 1846:

"*Be it enacted, etc.*,

"SECTION 1. The consent of this state is hereby granted to the United States to purchase an additional tract of land, not exceeding in quantity thirty acres, lying adjacent to the present site of Fort McClary, in Kittery, county of York, for military purposes; the evidence of the purchase aforesaid to be entered and recorded in the Registry of Deeds, in the county of York, and State of Maine; and the jurisdiction over the said tract of land, is hereby granted and

ceded to the United States; *provided always*, and the cession and consent aforesaid are granted upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the tract aforesaid, so far that all civil and such criminal processes as may issue under the authority of this State against any person or persons charged with crimes committed without the said tract may be executed therein in the same way and manner as though this cession and consent had not been made and granted.

"SEC. 2. The property over which jurisdiction is granted by this act, shall be exonerated and discharged from all taxes and assessments, which may be laid or imposed under the authority of this state while the said tract shall remain the property of the United States, and shall be used for the purposes intended by this act."

See also General Act of Cession.

Easement: Act of Congress, approved June 18, 1888, granted to the York Harbor and Beach Railroad Company a right of way four rods in width across the reservation.

FORT McKINLEY.

This reservation is situate on Great Diamond Island (formerly known as Great Hog Island), Portland Harbor. The title is as follows:

1. Deed from Mary L. Deering, et al., dated November 23, 1873, conveying 70 acres, shores, right of way, etc. Recorded in Plan Book 3, page 46, of the Registry of deeds in Cumberland County.

2. Quit-Claim Deed from Alice P. Anderson, dated November 29, 1873, conveying all above-described lands on Great Hog Island.

3. Decree of condemnation, The United States *v.* The Diamond Island Association, et al., in the Circuit Court of the United States, District of Maine. Rendered June 18, 1901, and filed in Clerk's Office of said Court.

For jurisdiction see Fort Gorges. See also Fort Preble, where Act of February 18, 1871, seems to cede jurisdiction. See also General Act of Cession.

Revocable license. March 9, 1906, to E. F. Morgan Company to construct, operate and maintain a laundry.

FORT MACHIAS.

This reservation contains about 2 acres, and is situated on the Machias River, at Machiasport, in Washington County. The title is as follows:

1. Deed from William Sanborn and wife, dated November 16, 1809, conveying 84.75 rods. Recorded in Book No. 6, page 80, of the deed records of Washington County.

2. Deed from Benjamin Berry and wife, dated November 16, 1809, conveying 224 rods and 10 links. Recorded in Book No. 6, page 88, of same records.

For jurisdiction see General Act of Cession.

FORT MADISON.

This reservation contains an area of about 2 acres, including the beach adjoining the same, and is situated at Castine, on the Bay of that name, in Hancock County. The title is as follows:

Deed from Joseph Perkins and wife to James Madison, President,

etc., his successors, etc., dated April 1, 1809. Recorded in Book No. 27, page 105, of the deed records of Hancock County.

For jurisdiction see General Act of Cession.

NARROWS ISLAND.

This reservation contains an area of 2.75 acres, and is situated on Narrows Island, in Damariscotta River, Boothbay, in Lincoln County. The title is as follows:

Deed from John A. Kennedy, dated August 6, 1808, conveying 2.75 acres. Recorded in Liber 67, folio 33, of the deed records of Lincoln County.

For jurisdiction see General Act of Cession.

Lease: Revocable lease, dated October 3, 1904; of this property, for five years from October 8, 1904, to E. P. Gamage.

FORT POPHAM.

This reservation contains an area of 6⅔ acres (3⅓ of which are flats) and is situated on Hunnewells Point, in the town of Phipsburg, west bank of the Kennebec River, near its mouth, and about 10 miles below the city of Bath, in the County of Sagadahoc. The title is as follows:

1. Deed from Joshua Sharr, dated June 21, 1808, conveying 2 acres. Recorded in Liber 70, folio 6, of the deed records of Lincoln County.

2. Deed from Nathaniel Perkins et al., dated June 22, 1863, conveying weir privileges, etc. Recorded in Vol. 22, pages 71 to 74, inclusive, of the deed records of Sagadahoc County.

3. Deed from Thomas Spinney et al., dated June 22, 1863, conveying flats, beach, fishing privileges, etc. Recorded in Vol. 22, pages 68 to 71, inclusive, of same records.

4. Deed from Charles A. Clark and wife, dated June 1, 1863, conveying all the lands and flats owned by the grantor on Hunnewell's Point, etc. Recorded in Vol. 22, pages 78 to 82, inclusive, of same records.

5. Condemnation proceedings involving the lands, etc., in foregoing deeds marked Nos. 2, 3 and 4. Decree entered of record in the Office of the County Commissioners of Sagadahoc County, June 4, 1862.

Jurisdiction over this fort was ceded to the United States by the act of the State Legislature approved April 17, 1857, (for which see Fort Gorges,) and by the following act, approved January 9, 1862:

"*Be it enacted, etc.,*

"SECTION 1. The United States may hold forever for the erection and maintaining of a fort thereupon, certain territory situated at Hunnewell's point, at the mouth of the Kennebec river, in the town of Phipsburg, within the county of Sagadahoc, included within the following boundaries, to wit: Beginning at the limits of the land of the United States on Adkins bay at low water; thence running by low water westerly to a point fourteen rods west of the old wharf; thence south thirty-one degrees east, three hundred and fourteen feet to a point abreast of, and seven rods from, the first ledge of rocks; thence southerly six degrees east, to high water mark, on land owned by

George Irvin; thence by high water mark to Larcy's rock; thence easterly by said rock to low water mark; thence by low water mark to land owned by the United States; thence by said land to the place of beginning, and containing five and a quarter acres, with all the buildings, structures, and improvements of every kind situated thereon; reserving such jurisdiction as the state has in other places within the same, ceded to, or held by the United States for similar purposes; *Provided*, That the United States shall pay to the owners of said estate such compensation as shall be ascertained in the manner prescribed by this act as hereinafter provided."

See also General Act of Cession.

Revocable Licenses: License, September 22, 1882, to the Treasury Department to use a portion of the reservation for life-saving purposes.

License, December 13, 1902, to the Treasury Department to build a fog-bell house and a foot bridge and walk leading to it.

FORT PREBLE.

This reservation contains an area of about 30.75 acres. It is situated on the east side of Portland Harbor at Spring Point, 2 miles from the City of Portland in Cumberland County. The title is as follows:

1. Deed from Ebenezer Thrasher and wife, dated February 29, 1808, conveying 5 acres. Recorded in Liber 53, folio 533, etc., of the deed records of Cumberland County.
2. Deed from Robert Thrasher et al., dated April 16, 1833, conveying two-thirds interest in 2 acres. Recorded in Book 132, page 642, of same records.
3. Deed from John D. Buzzell, Guardian, etc., dated May 9, 1833, conveying one-third interest in 2 acres. Recorded in Book 133, pages 191–192, of same records.
4. Deed from Horace M. Day and wife, et al., dated April 8, 1871, conveying the tract therein described. Recorded in Book 384, page 420, of same records.
5. Deed from James B. Thornton, dated April 11, 1871, conveying by way of release all interest in land described in Deed marked "4." Recorded in Book 382, page 267, of same records.
6. Deed from Lucretia T. Adams and John Adams, dated April 14, 1871, conveying lots 20 to 31, inclusive, and other tracts of the estate of Ebenezer Thrasher, deceased. Recorded in Book 383, page 530, and their Power of Attorney, recorded in Book 384, page 402, of same records.
7. Deed from Sarah J. T. Libby, dated April 14, 1871, conveying certain land near Fort Preble. Recorded in Book 383, page 534, of same records.
8. Deed from Reuben S. Smart and wife, dated April 14, 1871, conveying land near Fort Preble. Recorded in Book 383, page 531, of same records.
9. Deed from Henry S. Thrasher and wife, dated April 14, 1871, conveying land near Fort Preble. Recorded in Book 383, page 535, of same records.
10. Deed from Lydia B. Thrasher, dated April 14, 1871, conveying all her interest in certain land as the widow of Ebenezer Thrasher, deceased. Recorded in Book 383, page 532, of same records.

11. Deed from Edward M. Tucker, dated April 14, 1871, conveying Lots 1 and 2 of Estate of Ebenezer Thrasher, deceased. Recorded in Book 383, page 533, of same records.

12. Deed from Deborah Fisher and G. S. Fisher, dated May 12, 1871, conveying Lots 16, 17, 18, 19, 32, 33, 34, 35, 36, 37, and 38 of the estate of Ebenezer Thrasher, deceased; also all his interest, etc., in Lots 5 and 6 of said estate and other property described. Recorded in Book 387, page 148, of same records.

13. Deed from Deborah Fisher and husband, dated November 21, 1871, conveying Lot 15 of the estate of Ebenezer Thrasher, deceased. Recorded in Book 389, page 309, of same records.

14. Deed from Paulina T. Grant and husband, dated October 27, 1874, conveying 9,024 square feet of land, etc. Recorded in Book 411, page 496, of same records.

15. Deed from George W. Libby, dated December 29, 1874, conveying 3,300 square feet of land. Recorded in Book 414, page 219, of same records.

16. Deed from Paulina T. Grant and husband, dated February 3, 1875, conveyance to correct descriptions in former deeds. Recorded in Book 416, page 557, of same records.

17. Deed from Bridget Brown and husband, dated February 16, 1875, conveying 3,000 square feet of land. Recorded in Book 414, page 274, of same records.

18. Deed from Lewis Piper, dated February 16, 1875, conveying (by release) the land conveyed by Bridget Brown to the United States. Recorded in Book 408, page 413, of same records.

19. Deed from Paulina T. Grant and husband, dated May 30, 1876, conveying 16,400 square feet of land. Recorded in Book 431, page 183, of same records.

20. Deed from Reuben S. Smart and wife, dated June 28, 1876, conveying 27,437 square feet of land and a certain right of way. Recorded in Book 434, page 98, of same records.

21. Deed from Joseph M. York and wife, dated June 28, 1876, conveying 7,060, square feet of land, etc. Recorded in Book 429, page 524, of same records.

22. Deed from Leander S. Arey et al., dated September 18, 1896, conveying 48 square rods. Recorded in Book 644, page 37, of same records.

23. Deed from William W. Goold, dated September 18, 1896, conveying a tract of land in South Portland formerly Cape Elizabeth, therein described. Recorded in Book 644, page 38, of same records.

24. Deed from William Goddard et al., dated September 18, 1896, conveying as heirs at law of Hannah Goddard, deceased, their interest in lands near Fort Preble. Recorded in Book 644, page 80, of same records.

25. Deed from George W. Libby, dated September 19, 1896, conveying 3,685 square feet of land. Recorded in Book 644, page 40, of same records.

26. Deed from Catherine Green, dated September 19, 1896, conveying 10,635 square feet of land. Recorded in Book 644, page 39, of same records.

27. Deed from Charles W. Bray, dated March 23, 1900, conveying certain land therein described. Recorded in Book 688, page 250, of same records.

28. Deed from Adelaide M. Bray, dated March 24, 1900, conveying certain land therein described. Recorded in Book 688, page 249, of same records.

29. Deed from Adelaide M. Bray, dated October 2, 1901, conveying about 62,616 square feet. Recorded in Book 709, page 271, of same records.

30. Deed from Charles W. Bray, dated October 2, 1901, conveying 15,927 square feet. Recorded in Book 709, page 270, of same records.

Jurisdiction ceded by an Act of the General Court of the State of Massachusetts, passed March 12, 1808, for which see Fort Scammel, and see also an act of the State Legislature of Maine, approved February 18, 1871, which provides as follows:

"SECTION 1. In accordance with the constitution of the United States, article one, section eight, clause seventeen, and acts of congress in such cases provided, the consent of the legislature is given to the purchase by the government of the United States, or under its authority, of any tract of land, from any individuals or bodies politic or corporate, within the state, for the erection of light-houses and other needful public buildings; and all deeds and conveyances or title-papers for the same, shall be recorded upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded, a sufficient description, by metes and bounds, courses and distances, of any tracts and legal divisions, of any public land belonging to the United States, set apart by the general government for either of the purposes before mentioned, by an order, patent, or other official paper, so describing such land.

"SEC. 2. Lands so selected, with the tenements and appurtenances for the purposes before mentioned, are exempt from taxation by the State."

See also General Act of Cession.

ST. GEORGES.

This reservation contains 2 acres 2 roods and 20 rods. It is known as "Robinsons Point," and is situated on the eastern side of St. Georges River, in the town of St. George, in Lincoln County. The title is as follows:

Deed from Joseph Robinson, dated September 22, 1808, conveying the above site. Recorded in Liber 64, folio 126, of the deed records of Lincoln County.

For jurisdiction see General Act of Cession.

FORT SCAMMEL.

This reservation contains an area of 12 acres, and is situated on the Southwestern part of House Island, near the entrance to Portland Harbor, in Cumberland County. The title is as follows:

Deed from John Green Walden and wife, dated February 29, 1808, conveying the 12 acres of land. Recorded in Liber 53, folio 531, etc., of the deed records of Cumberland County.

This territory being at the date of the above deed a part of the Commonwealth of Massachusetts, jurisdiction was ceded by an act

of the General Court of that Commonwealth approved March 12, 1808, as follows:

"SECTION 1. *Be it enacted, etc.*, That there be and hereby is ceded to the United States of America the jurisdiction of the southwest end of House Island, near the entrance of Portland Harbor, the northeast boundary of which land, is a line commencing at a large brown rock six rods from high-water mark; thence south thirty-seven degrees east, five rods across the narrow part of said Island, also five acres of land situate on the extreme end of spring point, opposite said House Island, for the purpose of erecting Batteries, and other works for the defence of Portland harbor, which lands shall be laid out, at or before the time of erecting of such public works and a description thereof in writing entered in the registry of deeds in the County of Cumberland.

"SEC. 2. That this Commonwealth shall have concurrent jurisdiction with the United States, in and over the said lands, so far as that all civil and criminal processes, issued under the authority of this Commonwealth or any officer thereof, may be executed on any part of said granted premises, or in any building thereon to be erected, in the same way and manner, as if the jurisdiction had not been granted as aforesaid."

See also Fort Gorges and General Act of Cession.

Revocable License: License, September 22, 1892, to the Board of Health, Portland, Maine, to use the reservation for quarantine purposes.

SUGAR LOAF ISLAND (NORTH AND SOUTH.)

At entrance to Kennebec River. Title and jurisdiction ceded to the United States for fortification purposes, as authorized by Act of Congress of March 3, 1857, by Act of the State Legislature, approved April 17, 1857. See page 118, ante.

FORT WILLIAMS.

This reservation contains an area of about 59.5 acres and is situated at Portland Head, in the Town of Cape Elizabeth, Cumberland County. The title is as follows:

1. Deed from Asa T. Webster and wife, dated January 19, 1872, conveying 14 acres. Recorded in Book 388, page 567, of the deed records of Cumberland County.
2. Deed from George C. Thompson and wife, dated October 14, 1873, conveying tract conveyed to him by the Sheriff, etc. Recorded in Book 407, page 189, of same records.
3. Deed from William L. Pennell, Sheriff, etc. (in Condemnation proceedings), dated October 14, 1873, conveying 9 acres. Recorded in Book 406, page 181, of same records; and the following deed for the same tract:
4. Deed from Benjamin B. Dyer and wife, dated November 26, 1873, conveying 9 acres. Recorded in Book 407, page 190, of same records.
5. Deed from William L. Pennell, Sheriff, etc. (in Condemnation proceedings), dated October 14, 1873, conveying 13 acres. Recorded in Book 406, page 177, of same records.

6. Deed from Green Walden and wife, dated November 10, 1873, conveying 0.50 acre. Recorded in Book 407, page 140, of same records.

7. Deed from Joseph D. Symonds, dated March 1, 1900, conveying 9 acres more or less, with certain rights and privileges. Recorded in Book 687, page 390 of same records.

8. Deed from Georgiana Thompson et al., dated April 9, 1900, conveying 12.50 acres with the buildings thereon. Recorded in Book 688, page 239 of same records.

For jurisdiction see General Act of Cession, Fort Gorges and Fort Preble.

Revocable Licenses: License, September —, 1900, to the Selectmen of the town of Cape Elizabeth to straighten, widen and maintain the road along the west side of the reservation.

License, March 8, 1906, to New England Telephone and Telegraph Company for telephone line.

MARYLAND.

GENERAL ACTS OF CESSION.

"17. Jurisdiction is hereby ceded to the United States over such lands as shall be condemned as aforsaid for their use for public purposes, as soon as the same shall be condemned, under the sanction of the general assembly of this State hereinbefore given to said condemnation; provided, always, that this State shall retain concurrent jurisdiction with the United States in and over all lands condemned under the provisions of this article, so far as that all processes, civil and criminal, issuing under the authority of this State, or any of the courts or judicial officers thereof, may be executed on the premises so condemned, and in any building erected or to be erected thereon, in the same way and manner as if this article had not been passed; and exclusive jurisdiction shall revert to and revest in the State, whenever the said premises shall cease to be owned by the United States and used for some of the purposes mentioned in this article.

"18. All the lands that may be condemned under the provisions of this article, and the buildings and improvements erected or to be erected thereon, and the personal property of the United States, and of the officers thereof, when upon said land, shall be exonerated and exempted from taxation for State and county purposes, so long as the said land shall continue to be owned by the United States and used for any of the purposes specified in this article and no longer." (Approved April 11, 1874. Public General Laws of Maryland, 1904, Vol. II, p. 2084, secs. 17 and 18.)

"19. The consent of the State is given to the purchase by the government of the United States, or under the authority of the same, from any individual or individuals, bodies politic or corporate, of any tract, piece or parcel of land within the boundaries or limits of the State for the purpose of erecting thereon forts, magazines, arsenals, coast defences or other fortifications of the United States, or for the purpose of erecting thereon barracks, quarters and other needful buildings for the use of garrisons required to man such forts, maga-

zines, arsenals, coast defences or fortifications; and all deeds and title papers for the same shall be recorded as in other cases upon the land records of the county in which the land so conveyed may be; the consent herein given being in accordance with the seventeenth clause of the eighth section of the first article of the constitution of the United States and with the acts of Congress in such cases made and provided." (Approved March 13, 1900, idem, sec. 19. Section 20 provides for condemnation of the lands required, in case of inability to agree with the owners for their purchase; and section 21 provides that "the provisions of sections 17 and 18 of this article (ante) shall apply to all property or lands purchased or acquired by the United States under the provisions of sections 19 and 20 of this article.")

"26. The jurisdiction of the State of Maryland is hereby ceded to the United States of America over so much land as has been or may be hereafter acquired for public purposes of the United States; provided, that the jurisdiction hereby ceded shall not vest until the United States of America shall have acquired the title to the lands, by grant or deed, from the owner or owners thereof, and evidences thereof shall have been recorded in the office where, by law, the title to said land is required to be recorded; and the United States of America are to retain such jurisdiction so long as such lands shall be [used] for the purposes in this section mentioned, and no longer; and such jurisdiction is granted upon the express condition that the State of Maryland shall retain a concurrent jurisdiction with the United States in and over the said [lands so far as that civil process in all cases not affecting the] real or personal property of the United States, and such criminal or other process as shall issue under the authority of the State of Maryland against any person or persons charged with crimes or misdemeanors committed within or without the limits of said lands may be executed therein, in the same way and manner as if no jurisdiction had been hereby ceded. All lands and tenements which may be granted as aforesaid to the United States shall be and continue so long as the same shall be used for the purposes in this section mentioned, exonerated and discharged from all taxes, assessments and other charges which may be imposed under the authority of the State of Maryland; provided, however, that nothing in this section shall apply to Charles county." (Acts approved April 8, 1902, and April 7, 1904, idem, sec. 26. The portions in brackets are found in Act of April 8, 1902, but are omitted from Act of April 7, 1904, and from the Public General Laws of 1904.)

ANNAPOLIS NATIONAL CEMETERY.

This reservation contains an area of 4⅛ acres, and is situated at Annapolis, in Anne Arundel County. The title is as follows:

Deed from Nicholas Brewer, Executor, etc., dated February 28, 1871, conveying 4⅛ acres. Recorded in Liber S. H. No. 5, folios 583, etc., of the land records of Anne Arundel County.

Jurisdiction was ceded to the United States by the following act of the State Legislature, approved April 1, 1872:

"SECTION 1. *Be it enacted, etc.*, That jurisdiction and control over the lands conveyed by Nicholas Brewer, executor of Nicholas Brewer, deceased, to the United States of America, as a National Cemetery,

by deed bearing date twenty-eighth day of July, eighteen hundred and seventy-one, duly executed, acknowledged and recorded in Liber S. H., number five, folio five hundred and eighty-three, one of the land record books of Anne Arundel county, be and the same are hereby granted and ceded to the said United States of America, which said lands are a part of the lands called 'Todd's Range,' lying and being in Anne Arundel county * * * : *Provided, always*, That this cession and jurisdiction are granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States, in and on the said ceded lands, so far as, that all civil, and such criminal process as may issue under the authority of this State against any person or persons charged with crimes committed without the limits of said National Cemetery, and in the State of Maryland, may be executed therein in the same way and manner as though this cession and consent had never been made and granted, except so far as such process may affect the real and personal property of the United States, within the limits of the said National Cemetery.

"SEC. 2. *And be it enacted*, That the lands conveyed as aforesaid, and over which the jurisdiction is granted by this Act, together with all personal property which may hereafter be within the bounds thereof belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, so long as the said lands are and shall remain the property of the United States, and be used for the purposes aforesaid."

ANTIETAM BATTLEFIELD.

This reservation contains an area of about 40 acres, and is situated in Washington County, Md., the lands being acquired under Acts of Congress approved August 5, 1892, March 2, 1895, and June 11, 1896, respectively, for the purpose of marking the lines of battle upon the Battlefield of Antietam. The title is as follows:

1. Deed from Samuel D. Piper and wife, dated April 10, 1895, conveying 3 acres and 21 perches of land. Recorded in Liber No. 103, folio 603, etc., of the land records of Washington County.

2. Deed from William Roulette and wife, dated April 10, 1895, conveying 63 square perches of land, etc. Recorded in Liber No. 103, folio 605, etc., of same records.

3. Deed from Caleb Michael and wife, dated April 10, 1895, conveying 1 Acre and 3 Roods of land, etc. Recorded in Liber No. 103, folio 609, of same records.

4. Deed from Jacob B. Stine and wife, dated April 10, 1895, conveying 47 square perches of land, etc. Recorded in Liber No. 103, folio 603, etc., of same records.

5. Deed from Michael Tenant et al., dated April 10, 1895, conveying 91 square perches of land, etc. Recorded in Liber No. 104, folio 56, etc., of same records.

6. Deed from Urias Gross et al., dated April 10, 1895, conveying 158 square perches of land, etc. Recorded in Liber No. 104, folios 57, etc., of same records.

7. Deed from Resin D. Fisher and wife, dated April 11, 1895, conveying 3 Roods and 1 square perch of land, etc. Recorded in Liber No. 103, folios 608, etc., of same records.

8. Deed from Abraham Hoffmaster et al., dated April 11, 1895, conveying 32½ square perches of land, etc. Recorded in Liber No. 103, folio 602, of same records.

9. Deed from Anna Newcomer, dated April 15, 1895, conveying 1 Acre, 2 Roods, and 8 perches of land, etc. Recorded in Liber 103, folio 604, etc., of same records.

10. Deed from George H. Poffenberger et al., dated April 17, 1895, conveying 2 Acres, 1 Rood, and 9 square perches of land, etc. Recorded in Liber No. 104, folio 54, etc., of same records.

11. Deed from Otho J. Poffenberger and wife, dated April 25, 1895, conveying 2 Acres, 2 Roods, and 1 square perch of land, etc. Recorded in Liber No. 103, folio 606, etc., of same records.

12. Deed from Euromus H. Hoffman, dated April 26, 1895, conveying 1 Acre and 3¼ square perches of land, etc. Recorded in Liber No. 103, folio 608, of same records.

13. Deed from Cyrus Hicks Remsburg and wife, dated May 10, 1895, conveying 47 square perches of land, etc. Recorded in Liber No. 104, folio 54, of same records.

14. Deed from John Buehler et al., dated June 10, 1895, conveying 2 Roods and 20 square perches of land, etc. Recorded in Liber No. 103, folio 606, etc., of same records.

15. Deed from Caleb Michael and wife, dated June 28, 1895, conveying 14½ square perches of land. Recorded in Liber No. 104, folio 55, etc., of same records.

16. Deed from Euromus H. Hoffman, dated July 2, 1896, conveying 4 Acres and 37 perches of land. Recorded in Liber G. B. O., No. 105, folio 224, of same records.

17. Deed from Hezekiah H. Thomas et al., dated July 2, 1896, conveying 106 square perches of land. Recorded in Liber G. B. O., No. 105, folio 366, etc., of same records.

18. Deed from Alexander W. Davis, dated July 8, 1896, conveying 56½ square perches of land. Recorded in Liber No. 105, folio 367, etc., of same records.

19. Deed from Charles Currie and wife, dated November 22, 1895, conveying 13 perches of land, etc. Recorded in Liber No. 104, folio 566, etc., of same records.

20. Deed from Hannah Nicodemus et al., dated December 23, 1896, conveying 12 square perches of land. Recorded in Liber No. 106, folios 40 and 41, of same records.

21. Deed from Rush C. Hawkins, Trustee, etc., dated May 17, 1897, conveying 3,600 square feet of land. Recorded in Liber No. 106, folio 562, etc., of same records.

22. Deed from Frank W. Cheney and wife, for themselves, and Frank W. Cheney as trustee, etc., dated September 17, 1897, conveying 10 acres of land and the monument thereon. Recorded in Liber 107, folio 266, etc., of same records.

23. Deed from Francis A. Cummings as Trustee, etc., dated January 18, 1898, conveying 49.50 square perches. Recorded in Liber No. 107, folio 655, of same records.

24. Deed from Orlando B. Wilcox et al., as Trustees, etc., dated September 14, 1898, conveying a tract forty feet square and a monument thereon. Recorded in Liber D. H. H. No. 3, folio 316, etc., of the land records of Frederick County.

25. Deed from the Commonwealth of Massachusetts, dated November 15, 1899, conveying 23 square perches and the monument thereon. Recorded in Liber G. B. O. No. 112, folio 50, etc., of the land records of Washington County.

26. Deed from George H. Poffenberger and wife, dated April 8, 1902, conveying 3,600 square feet. Recorded in Liber G. B. O. No. 116, folio 96, of same records.

27. Deed from Ann C. Wyand, dated October 15, 1902, conveying 400 square feet. Recorded in Liber No. 118, folio 16, of same records.

28. Deed from Jacob B. Stine, dated October 15, 1902, conveying 498 square feet. Recorded in Liber No. 118, folio 16, of same records.

29. Deed from John Benner and wife, dated October 18, 1902, conveying 900 square feet. Recorded in Liber No. 118, folio 14, of same records.

30. Deed from the Governor of Connecticut, dated February 18, 1903, conveying 400 square feet. Recorded in Liber 118, folio 8, etc., of same records.

31. Deed from Resin D. Fisher and wife, dated March 9, 1903, conveying 1,290 square feet. Recorded in Liber 118, folio 15, of same records.

32. Deed from Hannah Nicodemus, dated June 26, 1903, conveying 225 square feet. Recorded in Liber S. B. O., No. 118, folio 493, of same records. Accepted by the Secretary of War, May 5, 1904.

33. Deed from William H. Reynolds and wife, dated June 20, 1904, conveying 625 square feet. Recorded in Liber —, No. 126, folio 146, of same records. Accepted September 26, 1904.

34. Deed from Anna Newcomer, dated July 8, 1904, conveying 600 square feet. Recorded in Liber G. B. O. No. 120, folio 226, of same records. Accepted September 26, 1904.

35. Deed from Jacob B. Stine, dated September 22, 1904, conveying 1,375 square feet. Recorded in Liber —, No. 120, folio 432, of same records. Accepted November 29, 1904.

36. Deed from George Alfred Townsend, dated September 22, 1904, conveying a triangular tract of land at Crampton Gap, South Mountain, Maryland, upon which has been erected a monument to the First New Jersey Brigade. Recorded in Liber S. T. H., No. 267, folio 367, of the Land Records of Frederick County, Maryland. Accepted March 10, 1905.

37. Deed from John Luther Nicodemus and wife, dated October 9, 1905, conveying 900 square feet. Recorded in Liber G. B. O. No. 122, folio 534, etc., of the Land Records of Washington County.

38. Deed from the State of Vermont, dated November 7, 1905, conveying about 400 square feet (being the same premises conveyed to the State of Vermont by Emory E. Thomas, by deed dated April 13, 1901, and recorded in Liber G. B. O. No. 114, folio 23, Land Records of Washington County). Recorded in Liber 123, folio 98, Land Records of Washington County, Maryland.

39. Deed from the State of Vermont, dated November 7, 1905, conveying about 66 square feet of land (being the same premises conveyed to the State of Vermont by Rezin Fisher and wife, by deed dated May 24, 1897, and recorded in Liber 107, folio 189, Land Records of Washington County). Recorded in Liber 123, folio 97, of same records.

Consent to purchase was given and jurisdiction ceded by an Act of the State Legislature approved April 7, 1892, providing, inter alia, as follows:

Section 1. *Be it enacted by the General Assembly of Maryland*, That the consent of the said State is hereby given to the acquisition by the United States, of such tracts of land in the neighborhood of the battle fields of Antietam and Monocacy in the State of Maryland as may be selected by the Secretary of War or such officer as he may designate for the purpose of erecting monuments or tablets for the proper marking of the positions of each of the several commands of the army of the United States engaged in the battles of Antietam and Monocacy, for opening and constructing roads and avenues in connection with the positions occupied by the Federal or Confederate forces engaged in said battles, for preservation of the grounds covered by said battle fields for historical and other purposes, and for making such other improvements in connection with said battle fields as the government of the United States may from time to time deem proper. For the purposes aforesaid the United States shall have, hold, use, occupy and own said lands when purchased or acquired and exercise jurisdiction and control over the same and every part thereof subject to the restrictions hereinafter mentioned.

Sec. 2. The jurisdiction of the State of Maryland in and over the said lands when acquired by the United States shall be and the same is hereby ceded to the United States and shall continue so long as the said lands shall remain the property of the United States and no longer; and the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied under the authority of this State; provided however, that the State of Maryland shall and hereby does retain concurrent jurisdiction with the United States in and over said lands so far as that all civil process in all cases and such criminal or other process as may issue under the authority of the State of Maryland against any person or persons charged with crimes or misdemeanors committed within said State, including said lands, may be executed therein in the same manner as if consent to the acquisition had not been given or jurisdiction ceded except so far as such process may affect the personal or real property of the United States.

ANTIETAM NATIONAL CEMETARY.

This Cemetery contains an area of 11 acres, and is situated at Sharpsburg, in Washington County. The title is as follows:

1. The State of Maryland to the United States by an Act of the State Legislature, approved March 13, 1878, conveying all right, title, and interest of the State and as Trustee for other States. (See act appended hereto.)

2. The State of New York consenting to the transfer by Maryland by an Act of the State Legislature, approved January 19, 1878.

3. The State of New Jersey by an Act of the State Legislature, approved February 7, 1878.

4. The State of Maine by an Act of the State Legislature, approved February 12, 1878.

5. The State of Wisconsin by an Act of the State Legislature, approved March 1, 1878.

6. The State of Connecticut by an Act of the State Legislature, approved March 26, 1878.

7. The State of Massachusetts by an Act of the State Legislature, approved March 29, 1878.

8. The State of Rhode Island by an Act of the State Legislature, approved April 12, 1878.

9. The State of Pennsylvania by an Act of the State Legislature, approved April 24, 1878.

10. The State of New Hampshire by an Act of the State Legislature, approved August 9, 1878.

11. The State of Vermont by an Act of the State Legislature, approved October 18, 1878.

12. The State of Michigan by an Act of the State Legislature, approved January 30, 1879.

13. The State of Minnesota by an Act of the State Legislature, approved March 3, 1879.

14. The State of West Virginia by an Act of the State Legislature, approved March 11, 1879.

15. The State of Indiana by an Act of the State Legislature, approved March 29, 1879.

16. The State of Ohio by an Act of the State Legislature, approved May 6, 1879.

17. Deed from Daniel H. Rhorback and wife to the Antietam National Cemetery, dated September 25, 1865, conveying 1 acre, 1 rood, and 9 perches of land. Deed recorded in Liber L. B. N., No. 1, folio 188, etc., of the land records of Washington County.

18. Deed from Boonsborough Turnpike Company, dated March 3, 1888, conveying the right of way, etc., over and control of part of Turnpike.

Title and also jurisdiction was ceded to the United States by an act of the State Legislature, approved March 13, 1878, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That all the right, title and interest of the State of Maryland, and of the said State of Maryland acting as Trustee for other States, as hereinbefore set forth, in and to the land occupied by the Antietam National Cemetery, in the county of Washington, in the State of Maryland, * * * be, and the same is hereby ceded, conveyed, transferred, and granted, with all the rights, privileges, hereditaments, and appurtenances thereunto belonging or pertaining to the United States of America, in fee simple, to have and to hold forever.

"SEC. 2. *And be it enacted*, That jurisdiction and control over the land conveyed by this act, as hereinbefore provided, be, and the same are hereby, granted and ceded to the United States of America; *Provided always*, That this cession and jurisdiction are granted upon the express condition that this Commonwealth shall retain concurrent jurisdiction with the United States in, and on the said ceded lands, so far as, that all civil and such criminal process as may issue under the authority of this State against any person or persons charged with crimes committed without the limits of said National Cemetery and in the State of Maryland, may be executed in the same way and manner as though this cession and consent had never been made and granted, except so far as such process may affect the real

and personal property of the United States, within the limits of the said National Cemetery.

"SEC. 3. *And be it enacted*, That the lands conveyed as herein provided, and over which jurisdiction is granted by this act, together with all personal property which may hereafter be within the bounds of said cemetery belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, so long as the said lands shall remain the property of the United States, and be used for the purposes indicated in the act of this Assembly, passed March twenty-third, eighteen hundred and sixty-five, hereinbefore referred to."

FORT ARMISTEAD.

This reservation contains 12.47 acres and is situated at Hawkins Point, in Anne Arundel County. The title is as follows:

Condemnation proceedings for above-described property in case wherein the United States was plaintiff and Thomas C. Chappell (Claimant) defendant, in the District Court of the United States for the District of Maryland. Decree rendered October 9, 1896, and filed with the record in said cause in judgment records S. H. No. 1, folio 87, etc., in the Clerk's Office of said District Court.

Consent was given to condemnation proceedings by Acts of the State Legislature approved April 2 and 11, 1874. Jurisdiction is ceded by the above-cited Act of the State Legislature approved April 11, 1874, as set out under title "General Acts of Session."

FORT CARROLL.

This reservation contains about 4 acres, and is an artificially constructed site for a fort. It is situated in the harbor, near Baltimore, about 6½ miles from Light street wharf. Jurisdiction is believed to have been ceded by an act of the State Legislature approved March 6, 1847, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of Maryland be, and the same is hereby, given to the United States to erect works of fortification on Sollers Point Flats, in the Patapsco River; and that the right of jurisdiction is hereby ceded to the United States over any works of fortification that may be erected by them on the said Sollers Point Flats, in the Patapsco River; said jurisdiction to extend in all directions one-fourth of a mile beyond any part of the works and their appendages."

License, September 14, 1905, to Department of Commerce and Labor for occupation by light-house keeper of present quarters.

FORT FOOTE.

This reservation contains an area of 66 Acres 2 Roods and 17¼ Perches, and is situated on the left bank of the Potomac River, on Roziers Bluff, 8 miles below Washington, District of Columbia, in Prince George County. The title is as follows:

1. Deed from Woodbury Wheeler, Trustee, etc., dated December 26, 1872, conveying 51 Acres 1 Rood, and 12¾ perches of land. Re-

corded in Liber H. B. No. C, folio 758, etc., of the land records of Prince George County.

2. Deed from Francis W. Rozier and wife, dated January 25, 1873, conveying 15 acres 1 Rood and 4½ perches of land. Deed recorded in Liber H. B. No. C, folio 760, etc., of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved April 1, 1872, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction and control of the lands hereinafter described, or any portion thereof, situate on the Potomac River, in Prince George County, that may hereafter be conveyed by deed duly executed, acknowledged, and recorded to the United States of America for the site of a fort, and the water, water rights, and all other rights appertaining thereto, whenever the same shall be so conveyed, be and the same is hereby vested in the United States of America for military and naval purposes; * * * *provided, always*, that this cession and jurisdiction are granted upon the express condition that this State shall retain a concurrent jurisdiction with the United States, in and on the said ceded lands and territory or the portion thereof that may be so as aforesaid conveyed, so far as that all civil and such criminal process as may issue under the authority of this State, against any person or persons charged with crimes committed without said lands and ceded territory, may be executed therein the same way *an* manner as though this cession and consent had never been made or granted, except so far as such process may effect the real and personal property of the United States within the said ceded territory.

"SEC. 2. *And be it enacted*, That the said lands or portion thereof, when conveyed as aforesaid and over which the jurisdiction is granted by this Act, together with all personal property which may thereafter be within the bounds thereof, belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, (when) so long as the said lands or portion thereof respectively are and shall remain the property of the United States, and be used for the purposes aforesaid."

FORT HOWARD.

This reservation contains an area of 245 Acres. It is situated at North Point, in Baltimore County. The title is as follows:

1. Decree of condemnation for said tract in cause No. 140, The United States *v.* The Canton, Sparrow's Point and North Point Railroad Company, in the District Court of the United States for the District of Maryland. Decree rendered July 22, 1896, and filed with the record in the Clerk's Office of said District Court, also recorded in Judicial Liber L. M. B., No. 135, folio 159, of the records of the Circuit Court for Baltimore County.

2. Deed from the Canton, Sparrow's Point and North Point Railroad Company, dated November 25, 1896, conveying 28.50 acres, and appurtenances, improvements, etc. Recorded in Liber L. M. B., No. 221, folio 22, etc., of the land records of Baltimore County.

3. Deed from Mary Grace Carroll et al., dated October 23, 1899,

conveying 96 acres, 2 roods and 3 perches. Recorded in Liber N. B. M. No. 228, folio 582 etc., of same records.

4. Deed from The Canton, Sparrow's Point and North Point Railroad Company, dated November 29, 1899, conveying 2 acres. Recorded in Liber N. B. M. No. 228, folio 586 etc., of same records.

5. Deed from Elizabeth Gunther, administratrix etc., dated December 21, 1899, conveying 118 acres. Recorded in Liber N. M. B. No. 245, folio 1, etc., of same records.

For consent to purchase and condemn and for jurisdiction see General Acts of Cession.

LAUREL CEMETERY (SOLDIERS' LOTS).

These lots are situated in Laurel Cemetery at Baltimore, in Baltimore County. The lots are numbered 341 to 344 inclusive, and 357 to 419 inclusive, all in Area I, containing each 80 square feet.

The title is as follows:

Deed from the Laurel Cemetery Company, dated June 1, 1876, conveying the above lots. Recorded in Liber G. R. No. 769, folio 127, &c., of the land records of Baltimore City.

For jurisdiction, see General Acts of Cession.

LOUDON PARK NATIONAL CEMETERY.

This reservation contains an area of about 3.69 acres, and is situated at Carroll station, near Baltimore, in Baltimore County. The title is as follows:

1. Deed from Loudon Park Cemetery Company, dated June 5, 1874.

2. Deed from Loudon Park Cemetery Company, dated July 1, 1875.

3. Deed from Charles C. MacTavish et al., dated May 1, 1882, conveying 0.48 acre, and roadbed, etc. Recorded in Liber W. M. I. No. 126, folio 296, etc., of the land records of Baltimore County.

4. Deed from James F. Wood et al., Trustees, dated September 5, 1882, conveying Lot B, No. 16, containing 0.62 acre; Lot C, No. 42, containing 0.63 acre, and a part of Lot C, No. 17, containing 0.17 acre, with roadbed, etc. Recorded in Liber W. M. I. No. 126, folio 307, etc., of same records.

5. Deed from Daniel J. Foley, Trustee, etc., dated September 9, 1882, conveying Lot D, No. 41, containing 0.56 acre, and roadbed, etc. Recorded in Liber W. M. I. No. 126, folio 302, etc., of same records.

6. Deed from Loudon Park Cemetery Company, dated September 20, 1883, conveying 1 Acre and 26¾ square perches of land, with road rights, etc. Recorded in Liber W. M. I. No. 128, folio 590, etc., of same records.

7. Deed from the Loudon Park Cemetery Company, dated May 19, 1903, conveying 0.07 acre. Recorded in Liber R. O. No. 2028, folio 177, etc., of the land records of Baltimore City.

8. Deed from William D. Primrose et al., dated May 19, 1903, conveying lots therein described. Recorded in Liber R. O. No. 2028, folio 171, etc., of same records.

For jurisdiction, see General Acts of Cession.

FORT MCHENRY.

This reservation contains an area of about 50 acres of land, with metes and bounds as announced in G. O. No. 178, War Dept., Oct. 18, 1906. It is situated on Whetstone Point, in the City of Baltimore, in Baltimore County. The title is as follows:

1. Deed from Alexander Furnival, dated July 20, 1795, conveying about 7 acres and 56 perches of land. Recorded in Liber W. G. No. S S, folio 142, etc., of the land records of Baltimore County.

2. Deed from William Goodman, dated November 6, 1798, conveying 2 acres of land. Recorded in Liber W. G. No. 56, folio 440, etc., of same records.

3. Deed from William Goodman, dated August 26, 1800, conveying 11 acres 3 Roods and 25 perches of land. Recorded in Liber W. G. No. 61, folio 580, etc., of same records.

4. Deed from John O'Donnell, dated January 14, 1804, conveying 5 acres of land. Recorded in Liber W. G. No. 78, folio 43, etc., of same records.

5. Deed from Thomas B. Dorsey et al., dated September 10, 1836, conveying Lots 60, 62, 64, etc. Recorded in Liber T. K. No. 263, folio 194, etc., of same records.

6. Deed from James Bosley and wife, dated September 15, 1836, conveying Lot 61, containing 2 acres and 2 roods of land. Recorded in Liber T. K. No. 263, folio 196, etc., of same records.

7. Deed from Luke Kiersted and wife, dated September 29, 1836, conveying Lot No. 63. Recorded in Liber T. K. No. 264, folio 326, etc., of same records.

8. Deed from Elizabeth Conkling et al., dated October 8, 1836, conveying Lot 63 and part of "Upton Court." Recorded in Liber T. K. No. 264, folio 324, etc., of same records.

9. Deed from John Glenn et al., dated October 25, 1837, conveying 3 acres 1 rood and 29 perches of land. Recorded in Liber T. K. No. 274, folio 400, etc., of same records.

10. Deed from Richard W. Gill, dated November 16, 1836, conveying between 5 and 6 acres of land. Recorded in Liber T. K. No. 265, folio 189, etc., of same records.

The area of land conveyed by the foregoing described deeds including streets separating the lots aggregates 52.75 acres, and the purchase thereof was authorized by Acts of Congress approved March 20, 1794, and July 2, 1836. By authority of the Act of Congress approved June 19, 1878, the area was reduced by a transfer to the Baltimore Dry Dock Company of about 2.75 acres.

Jurisdiction over one part of this reservation was ceded to the United States by Resolution No. 65 of the State Legislature, passed January 30, 1816, and by the proceedings of the Governor and Council at a meeting begun and held on February 27, 1816; and jurisdiction as to the other part was ceded by an act passed March 29, 1838.

The resolution, proceedings, and act provide as follows:

"*Resolved*, That the Governor and Council be, and they are hereby, authorized and requested, in the recess of the Legislature, to arrange with the General Government for the establishment of such sites within this State for the completion and establishment of fortifications as may be agreed on, and the jurisdiction of the same is hereby

relinquished to the United States." (Resolution No. 65, passed January 30, 1816.)

"Be it known that in pursuance of the power vested by said resolve in the Governor and Council, jurisdiction is hereby ceded to the United States of the following ground and territory, to wit:

* * * "that parcel of land situate in Baltimore County on which Fort McHenry is built, and the whole of the premises thereto adjoining, the legal title to which was conveyed to the United States.

"And the Governor and Council of Maryland, in behalf of said State, and in virtue of the authority conferred by the resolve aforesaid, hereby release all claim and right of jurisdiction of the State of Maryland in and over said parcels of land to the United States for the purposes expressed in said resolve." (Extract from proceedings of a meeting of the Governor and Council begun and held on the 27th day of February, 1816.)

"Whereas, It is represented to the General Assembly that the United States have purchased certain lots of ground on Whetstone Point, near the city of Baltimore, in order the more effectually to promote the ends of the Government in the erection of fortifications at Fort McHenry, which this Legislature duly appreciate: Therefore,

"*Be it enacted, etc.*, That the right of jurisdiction of the State of Maryland in and over the lands comprehended in lots numbers thirty-four, thirty-five, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, and sixty-seven, lying and adjoining Fort McHenry, on Whetstone Point, near the City of Baltimore, which have been purchased by the United States, the deeds whereof are among the records of Baltimore County, and also that part of the main road leading to Fort McHenry which lies between the said lots, be, and the same is hereby, relinquished, ceded, and made over to the United States for the purposes aforesaid." (Passed March 29, 1838.)

Revocable License: March 9, 1906, to Chesapeake and Potomac Telephone Company for telephone line.

POINT LOOKOUT NATIONAL CEMETERY.

This reservation contains 5.55 acres, and is situated at Point Lookout in St. Mary County. The title is as follows:

1. Deed from Logan A. Smith and wife, dated June 30, 1868, conveying said land. Recorded in Liber I. A. C. No. 3, of the land records of St. Mary County.

2. Decree of condemnation for same premises in case of Logan A. Smith, Petition for appraisement *v.* The United States, in the District Court of the United States for the District of Maryland. Decree rendered March 3, 1868, and filed with the record in the Clerk's Office of the said Court.

For jurisdiction, see General Acts of Cession.

FORT SMALLWOOD.

This reservation contains an area of 100 acres, and is situated at Rock Point, in Anne Arundel County. The title is as follows:

1. Decree in condemnation proceedings for said 100 acres in case wherein the United States, etc., were plaintiffs, and certain land situated at Rock Point, Maryland—Flavius W. Hancock, Cassie

Owens, and Oliver S. Owens, Defendants, in the District Court of the United States for the District of Maryland. Decree rendered June 2, 1896, and filed with the record in the Clerk's Office of said Court.

2. Deed from Flavius W. Hancock et al., dated July 21, 1896, conveying the above 100 acres. Recorded in Liber G. W., No. 3, folio 316, etc., of the land records of Anne Arundel County.

For consent to purchase or condemn and for jurisdiction see General Acts of Cession.

FORT WASHINGTON.

This reservation contains an area of 332 acres 3 roods and 11 perches of land, and is situated on the left bank of the Potomac, about 14 miles below the city of Washington, near the mouth of Piscataway Creek. The title is as follows:

1. Deed from Thomas A. Digges, dated April 15, 1808, conveying 3 acres and 127 perches of land. Recorded in Liber I. R. M., No. 12, folio 579, etc., of the land records of Prince George County.

2. Deed from Thomas A. Digges et al., dated August 31, 1815, conveying 5 acres and 56 perches of land. Recorded in Liber T. H., No. 1, folios 49, etc., of the land records of the Court of Appeals for the Western shore of Maryland (Prince George County). See also Liber I. B. B., No. 2, folio 57, etc., of the land records of Prince George County.

3. Deed from Norah Digges, Executrix, etc., dated May 27, 1833, conveying 34 acres and 81 perches. Recorded in Liber A. B., No. 8, folio 220, etc., of same records.

4. Release of same tract by Richard Wallack, Trustee, etc., dated November 18, 1833. Recorded in Liber A. B., No. 8, folio 215, of same records.

5. Release by Nora Digges, in the case of "Lessee of George A. Digges and others *v.* The United States, in the Circuit Court of the United States for the District of Maryland." Filed in the Clerk's Office of said Court with the record in said cause November 14, 1848.

6. Deed from Joseph K. Roberts, Jr., Trustee, etc., dated January 19, 1875, conveying 289 acres and 27 perches of land. Recorded in Liber H. B., No. 10, folio 21, etc., of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved April 11, 1874, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction and control over the residue of the lands owned by the United States, and constituting the site of Fort Washington, in the county of Prince George, and the jurisdiction and control over the lands hereinafter described or any portion thereof, in said county, that may be hereafter conveyed by deed duly executed, acknowledged, and recorded to the United States, and the water, water rights, and all other rights appertaining thereto, be and the same is hereby ceded and vested in the United States of America for Military and Naval purposes; the said cession, as to said land that may hereafter be conveyed, to take effect whenever the same shall be so conveyed; beginning for the said lands to be hereafter conveyed * * * the same comprising the two parcels of ground, parts of Warburton Manor, and mentioned and conveyed in a deed from John Johnson and Thomas S. Alexander, trustees, to

William Kerly; recorded among the land records of Prince George county, liber J. B. B., No. 4, folio eight hundred and six, &c.; *provided, always*, that this cession and jurisdiction are granted upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and on the said ceded lands and territory, so far as that all civil and such criminal process as may issue under the authority of this State, against any person or persons charged with crimes committed without said lands and ceded territory, may be executed therein, in the same way and manner as though this cession and consent had never been made and granted, except so far as such process may effect the real and personal property of the United States within the said ceded territory.

"SEC. 2. *Be it enacted*, That the said lands over which the jurisdiction is granted by this act, together with all personal property which may thereafter be within the bounds thereof, belonging to the United States, or to any of the officers or agents of the United States, shall be exonerated and discharged from all taxes and assessments which may be at any time imposed by the authority of this State, when and so long as the said lands or portion thereof, respectively, are and shall remain the property of the United States, and be used for the purpose aforesaid."

Revocable Licenses: License, June 19, 1880, to the Treasury Department to store buoys and sinkers on the reservation and to use the wharf in shipping same from time to time.

License, November 8, 1882, to the light keeper to occupy vacant building at the post.

License, March 27, 1885, to the U. S. Fish Commission to erect a small building near the edge of the wharf.

MASSACHUSETTS.

For a list of places over which the Commonwealth of Massachusetts has ceded jurisdiction to the United States, see Revised Laws of Massachusetts, 1902, Vol. 1, Ch. 1, sec. 5.

FORT ANDREW.

This reservation contains an area of about 6 acres and 134½ rods, including the small tract used by the Light-House Board. It is situated on Gurnet Point, on the north side of the entrance to Plymouth Harbor, near the Town of Plymouth, in Plymouth County.

The custody of the reservation was temporarily relinquished to the Treasury Department for light house and life-saving purposes, March 25, 1885, (accepted September 8, 1885). The title is as follows:

1. Deed from Hannah Thomas and husband, dated November 10, 1802, conveying 1 acre and 6½ rods (Light-House Land). Recorded among the records of deeds for Plymouth County, at Plymouth, November 18, 1802.

2. Deed from Leander Lovell and wife, dated June 7, 1870, conveying 5.2 acres (Fort Land). Recorded in Book 365, pages 247, etc., of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved June 23, 1869, as amended by an act approved June 22, 1870. These acts provide as follows:

"SECTION 1. Jurisdiction is hereby ceded to the United States over the site of Fort Standish, on the Saquish Neck, and over the site of Fort Andrew, on the Gurnet Point (both sites lying to the northward and eastward and near the entrance of the harbor of Plymouth), for the purpose of building and maintaining thereon such forts, arsenals, wharves, or other structures, with their appendages, as may be necessary for the public service and as may be purchased for such use by the United States; and the jurisdiction is also ceded over all the shores, flats and waters contiguous to those sites, and within four hundred yards from low-water mark, and all right, title and claim which the Commonwealth may have to or in the premises aforesaid, is hereby granted to the United States: *Provided*, that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over all the premises aforesaid, as far as that all civil processes and such criminal processes against any person or persons charged with crimes committed without the premises aforesaid as may issue under the authority of this Commonwealth may be executed on said premises and in any building or structure erected or to be erected thereon, in the same way and manner and with the same effect as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The premises over which jurisdiction is granted by this act, and all structures and other property thereon, shall be exonerated from all taxes and assessments which may be imposed under the authority of this Commonwealth, while said premises shall remain the property of the United States, and shall be used for the purposes intended by this act." (Approved, June 23, 1869.)

The act approved June 22, 1870, amends section 3 of this act so as to provide that the plans of the sites of said forts shall be deposited with the Secretary of the Commonwealth within six months after the United States has acquired title by deed.

Revocable Licenses: The Secretary of War, in compliance with request of the Secretary of the Treasury, under date of April 26, 1884, authorized the construction by the Keeper of the Life Saving Station, of a small dwelling, upon the condition that it be removed whenever the War Department should so direct, or when the keeper should cease to be in the employ of the Government. Under date of June 26, 1884, a parcel of land 50 feet square in the southwest corner of the Light-house Keeper's Lot was definitely selected as the site for the above dwelling.

Upon the abandonment of the post, permission was granted by the Secretary of War, under date of September 23, 1884, to the Keeper of the Life Saving Station to occupy the quarters of the Ordnance Sergeant.

FORT ANDREWS.

This reservation, containing about 90 acres, comprises the northerly end of Peddocks Island in the Town of Hull. The title is as follows:

1. Quit-Claim Deed from Eliza J. H. Andrew, dated February 18, 1897, conveying the above tract.

2. Warranty Deed from Eliza J. H. Andrew, dated February 12, 1898, conveying same tract. Recorded in Book 756, page 149, of the records of Plymouth County.

3. Deed from Edith Andrew, individually and as trustee, dated February 8, 1904, conveying 65.227 acres. Recorded in Book 891, pages 67 to 69, of same records.

4. Deed from Edith Andrew, individually and as trustee, December 10, 1904, conveying "in fee simple the right to construct and maintain a water main" leading from the reservation to the sea, "at a point opposite Nut Island". Recorded in Book 909, page 167, of same records.

5. License from Board of Harbor and Land Commissioners of the Commonwealth of Massachusetts to the United States, Oct. 5, 1904, to lay a six-inch water pipe in Boston Harbor from Nut Island to Peddocks Island. Recorded in Norfolk County Deed Records, volume 995, page 377, and in Plymouth County Deed Records, Book 915, pages 88-89.

6. Decree of United States District Court, June 28, 1906, and deed from Emery W. Clark and wife, dated July 17, 1906, conveying land on Point Allerton (about 70,600 sq. ft., more or less, of which 18,300 sq. ft. are upland westerly of the crest of the bluff), for a site for range-finder station. Recorded in Book 953, pages 258 and 261, *et seq.*, same records. See G. O. No. 173, War Department, October 12, 1906.

Jurisdiction ceded by Acts of the General Court of the Commonwealth of April 6, 1897 (Acts and Resolves of 1897, Chapter 240), and of April 2, 1901 (Acts and Resolves of 1901, Chapter 232), and of June 21, 1906 (Acts and Resolves of 1906, Chapter 511), providing, respectively, as follows:

"SECTION 1. The consent of the Commonwealth of Massachusetts is hereby granted to the United States of America to purchase a portion of the northerly end of Peddock's Island in Boston Harbor, the same to be used for the purpose of national defence.

"SEC. 2. Jurisdiction over the area so purchased is hereby granted and ceded to the United States: *provided*, (and the cession and consent aforesaid are granted upon the express condition), that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over the part of the island so purchased, so far as that all civil processes and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with the crimes committed without the said tracts of land may be executed therein in the same way and manner as though this consent and cession had not been made and granted.

"SEC. 3. The United States government is hereby authorized to occupy and fill such flats belonging to the Commonwealth, and to place such structures in or over the tide water adjacent to the area herein authorized to be purchased as may be necessary for the purpose for which the premises over which jurisdiction is ceded in section one are to be used, upon such terms and conditions as shall be prescribed by the harbor and land commissioners.

"SEC. 4. This act shall be void unless a suitable plan or plans of the premises purchased by the United States under the provisions of this act be deposited in the office of the secretary of the Commonwealth within one year from the passage of this Act."
(Act of April 6, 1897).

"SECTION 1. The consent of the Commonwealth of Massachusetts is hereby granted to the acquisition by the United States of America,

by purchase or condemnation, for the purpose of national defence, of eighty acres of land, or so much thereof as the secretary of war of the United States may deem necessary, on Peddock's island in Boston harbor, adjoining the present United States military reservation on said island. Jurisdiction over the area so acquired is hereby granted and ceded to the United States: *Provided, always*, that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over the land so acquired, so far as that all civil processes and such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the area so acquired may be executed therein in the same manner as though this cession had not been granted; and *Provided, further*, that whenever such land ceases to be used by the United States for the purposes for which it is acquired the exclusive jurisdiction over it shall revert to and revest in the Commonwealth.

" Sec. 2. The United States government is hereby authorized, upon such terms and conditions as shall be prescribed by the board of harbor and land commissioners, to occupy and fill such flats belonging to the Commonwealth, and to place such structures in or over the tide water adjacent to the area herein authorized to be acquired as may be necessary for the purposes for which said area is to be used.

" Sec. 3. This act shall be void unless a suitable plan or plans of the premises acquired by the United States under the provisions of this act shall be deposited in the office of the secretary of the Commonwealth within six months from the date of such acquisition." (Act of April 2, 1901).

Under date of October 16, 1905, the Commanding Officer, Artillery District, Fort Banks, Massachusetts, reported that the required plans " have been properly filed and officially accepted by the Secretary of the Commonwealth."

Section 1. The consent of the Commonwealth of Massachusetts is hereby granted to the United States of America to purchase four parcels of land in the town of Hull, for purposes of national defence, as follows:

Parcel one: comprising lots one hundred and five and one hundred and six, as shown on a plan entitled " Plan of Lots owned by the Nantasket Co. on Strawberry Hill at Nantasket Beach, by C. H. Paine, Surveyor, dated June, 1883, and recorded in Plymouth Registry of Deeds in Plan Book 1, page 98 ", and the back lots adjoining the same, on the east, on " Strawberry Hill ", comprising an area of forty thousand and one hundred and seven square feet;

Parcel two: lots twenty-four and twenty-five at Point Allerton, as shown on a plan entitled " Land at Point Allerton, Hull, Mass., by Frederic M. Hersey, engineer, dated January 13, 1906 ", area about seventy thousand six hundred square feet;

Parcel three: near Point Allerton railroad station on the southwesterly side of Old County road, fronting thirty feet thereon and extending back at right angles thereto and of the same width to mean low water of Hull bay; the northerly corner being at the junction of the southerly property line of the Hull and Nantasket Beach railroad with the southwesterly line of said Old County road; area about six thousand square feet;

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Parcel four is twelve feet square and lies between Spring street and Hull bay, the northerly side of the same being the face of the sea wall, and the northeasterly corner being two hundred and twenty-eight feet westerly of the angle in said wall.

SECTION 2. Jurisdiction over the land so purchased is hereby granted and ceded to the United States: *provided*, (and the cession and consent aforesaid are granted upon the express condition), that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over the land so purchased, so far as that all civil processes and such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the said tracts of land may be executed therein in the same manner as though this cession had not been granted.

SECTION 3. This act shall be void unless a suitable plan or plans of the premises purchased by the United States under the provisions of this act shall be deposited in the office of the secretary of the Commonwealth within one year from the passage of this act. Approved June 21, 1906.

FORT BANKS.

This reservation, adjoining Fort Heath, was formerly known as the "Mortar Battery." It contains 33.3 acres situated in the Town of Winthrop, adjoining Boston, in Suffolk County. The title is as follows:

1. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying part of Block "Y," containing 143,455 square feet of land. Recorded in libro 2001, page 177, of the deed of records of Suffolk County.

2. Deed from Elizabeth L. McCloud and husband, dated December 29, 1890, conveying 106,027½ square feet of land described by metes and bounds. Recorded in libro 2000, page 635, of same records.

3, Deed from Elizabeth L. McCloud and husband, dated December 29, 1890, conveying 43,744 square feet of land by metes and bounds. Recorded in libro 2000, page 636, of same records.

4. Quit-Claim Deed from Lucretia Floyd et al., dated January 1, 1891, conveying 144,824 square feet of land described by metes and bounds; also all title, etc., in a private way called "Elm Avenue," less 7,500 square feet heretofore conveyed away, making in this conveyance 137,324 square feet and right of way. Recorded in libro 2000, page 619, of same records.

5. Deed from Phillips P. Floyd and wife, dated January 1, 1891, conveying 181,540 square feet of land by metes and bounds. Recorded in libro 2000, page 621, of same records.

6. Deed from Sumner Floyd and wife, dated January 1, 1891, conveying 12,000 square feet of land by metes and bounds. Recorded in libro 2000, page 623, of same records.

7. Deed from Henry E. Mills, dated January 1, 1891, conveying two tracts containing 18,515 square feet of land described by metes and bounds. Recorded in libro 2000, page 637, of same records.

8. Quit-Claim Deed from Samuel G. Irwin and wife, dated January 3, 1891, conveying three-fourths of Lot No. 4, containing 90,926

square feet of land. Recorded in libro 2000, page 632, of same records.

9. Deed from Louisa E. McArthur and husband, dated January 10, 1891, conveying a part of Lot D, containing 4,037½ square feet of land. Recorded in libro 2002, page 554, of same records.

10. Quit-Claim Deed from John L. Tewksbury and wife, dated January 10, 1891, conveying Lots 13 and 24 and 20 feet of Lot 14, aggregating 9,593 square feet of land. Recorded in libro 2001, page 2, of same records.

11. Quit-Claim Deed from William B. Floyd and wife, dated January 12, 1891, conveying two parcels of land aggregating 75,327 square feet of land described by metes and bounds. Recorded in libro 2000, page 627, of same records.

12. Quit-Claim Deed from William B. Floyd et al., dated January 12, 1891, conveying 18,100 square feet of land by metes and bounds. Recorded in libro 2000, page 625, of same records.

13. Quit-Claim Deed from Perez M. Hayden and wife, dated January 12, 1891, conveying parts of Lots 14 and 15, containing 3,996 square feet of land and described by metes and bounds. Recorded in libro 2000, page 631, of same records.

14. Quit-Claim Deed from Lorenzo C. Tewksbury and wife, dated January 12, 1891, conveying 20,217 square feet of land by metes and bounds. Recorded in libro 2001, page 4, of same records.

15. Quit-Claim Deed from William G. Grant and wife, dated January 13, 1891, conveying Lot 23, containing 4,505 square feet of land. Recorded in libro 2000, page 630, of same records.

16. Quit-Claim Deed from The Boston, Winthrop and Shore Railroad Company, dated January 16, 1891, conveying 3,742 square feet of land by metes and bounds. Recorded in libro 2073, page 362, of same records.

17. Quit-Claim Deed from Benjamin D. Chapman and wife, dated January 22, 1891, conveying 13,095 square feet of land by metes and bounds. Recorded in libro 2073, page 359, of same records.

18. Quit-Claim Deed from William R. Conner and wife, dated March 21, 1891, conveying 3,025 square feet of land and all interest in Elm Avenue, and a strip containing 275 square feet of land, all described by metes and bounds. Recorded in libro 2000, page 617, of same records.

19. Deed from David H. Blaney, dated March 24, 1891, conveying 192,031 square feet, in two tracts, by metes and bounds; also right of way from Beach Street, 25 feet in width; in all, 193,937 square feet of land. Recorded in libro 2000, page 614, of same records.

20. Deed from David H. Blaney, dated March 24, 1891, conveying 66,574 square feet of upland and 9,990 square feet of marsh; total, 76,564 square feet, described by metes and bounds. Recorded in libro 2000, page 616, of same records.

21. Quit-Claim Deed from George C. Stanley and wife, dated March 26, 1891, conveying 4,475 square feet of land; all interest, etc., in Elm Avenue and a strip adjoining said Avenue containing 651,455 square feet, all described by metes and bounds. Recorded in libro 2001, page 1, of same records.

22. Deed from Ella F. Wendall and husband, dated March 27, 1891, conveying 16,493 square feet of land by metes and bounds. Recorded in libro 2001, page 5, of same records.

23. Quit-Claim Deed from Thomas Floyd and wife, dated March 27, 1891, conveying 82,718 square feet of land, in two tracts, by metes and bounds. Recorded in libro 2000, page 628, of same records.

24. Deed from Harry England and wife, dated March 30, 1891, conveying 14,845 square feet of land by metes and bounds. Recorded in libro 2001, page 298, of same records.

25. Quit-Claim Deed from John Macdonald and wife, dated April 9, 1891, conveying 14,800 square feet of land by metes and bounds, with right of way, etc. Recorded in libro 2000, page 634, of same records.

26. Quit-Claim Deed from William B. Floyd and wife, dated April 10, 1891, conveying 24,055 square feet of land by metes and bounds. Recorded in libro 2000, page 626, of same records.

27. Quit-Claim Deed from James McLauchlin and wife, dated October 26, 1891, conveying 4,717 square feet of land by metes and bounds. Recorded in libro 2073, page 355, of same records.

28. Quit Claim Deed from Hamilton R. Douglass and wife, dated October 26, 1891, conveying 4,611 square feet of land by metes and bounds. Recorded in libro 2073, page 354, of same records.

29. Quit-Claim Deed from Lucretia Floyd et al., dated November 24, 1891, conveying "Elm Avenue." Recorded in libro 2152, page 281, of same records.

30. Quit-Claim Deed from David H. Blaney, dated December 8, 1891, conveying 25,422 square feet of land by metes and bounds. Recorded in libro 2073, page 360, of same records.

31. Quit-Claim Deed from Thomas Floyd and wife, dated January 21, 1892, conveying 7,100 square feet of land. Recorded in libro 2073, page 358, of same records.

32. Quit-Claim Deed from Lorenzo C. Tewksbury and wife, dated May 23, 1893, conveying Lots E and F, of the Estate of Thomas Floyd, containing 75,886 square feet of land by metes and bounds. Recorded in libro 2146, page 153, of same records.

33. Quit-Claim Deed from William B. Floyd and wife, dated May 23, 1893, conveying Elm Avenue on certain conditions, etc. Recorded in libro 2152, page 283, of same records.

34. Quit-Claim Deed from Hermon B. Tewksbury and wife, dated July 21, 1893, conveying all interest in Cherry Street, etc. Recorded in libro 2152, page 284, of same records.

35. Quit-Claim Deed from Phillips P. Floyd and wife, dated January 19, 1894, conveying all title and interest in Grover's Cliff and particularly Elm Avenue. Recorded in libro 2180, page 527, of same records.

36. Decree of Condemnation for two tracts including portions of Cherry street and Elm avenue, for which see No. 26 under head of Fort Heath, infra.

37. Release by Lydia S. Floyd, et al., dated July 8, 1904, of their rights to Elm avenue, within limits of the reservation. Recorded in Book 3141, page 319, of same records.

This release and certain prior ones were made with the understanding, embodied as a condition in one of them (No. 33, ante), that the United States would open a right of way connecting Winthrop street with that portion of Elm avenue not released. This was done by deed from the Secretary of War to the town of Winthrop, dated

March 28, 1904, under authority of Act of Congress, approved March 15, 1904.

The foregoing lands were acquired pursuant to the Acts of Congress approved August 1, 1888, and August 18, 1890.

Jurisdiction was ceded to the United States by an act of the General Court of the Commonwealth of Massachusetts, approved March 16, 1891, which provids as follows:

"SECTION 1. The consent of this Commonwealth is hereby granted to the United States of America to purchase two tracts of land in the town of Winthrop, as will be described in the plans provided for in section three of this act with the buildings thereon purchased or to be purchased by the United States, for the purposes of national defence.

"SEC. 2. Jurisdiction over the said tracts is hereby granted and ceded to the United States; *provided, always*, and the cessions and consent aforesaid are granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the said tracts of land aforesaid, so far as that all civil processes and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the said tracts of land may be executed therein in the same way and manner as though this consent and cession had not been made and granted.

"SEC. 3. This act shall be void unless suitable plans of the premises, or such portion or portions thereof as may be purchased by the United States, be deposited in the office of the Secretary of this Commonwealth within one year from the passage of this act."

(Plan filed in the office of the Secretary of the Commonwealth of Massachusetts February 18, 1892, by S. M. Mansfield, Lieutenant-Colonel, Engineers, United States Army.)

FORT BANKS AND FORT HEATH.

Transfer Certificate of Title, dated December 13, 1904, registered in Book 3, page 136, No. 736, that the United States "is the owner in fee simple" of the parcels of upland and flats, described therein, known as the "Rice Wharf," located at Winthrop, Mass.

BEVERLY GUN HOUSE.

This property contains an area of 2,250 square feet, and is situated in the Town of Beverly, in Essex County. The title is as follows:

Deed from the Town of Beverly to the United States, dated May 17, 1809, conveying the above tract, together with right of way, etc.

Concurrent jurisdiction is reserved to the Commonwealth of Massachusetts.

DEER ISLAND.

This reservation comprises two tracts of land on Deer Island, in Boston Harbor, Massachusetts, containing together about 100 acres above mean low water mark. It was acquired, for fortification purposes, pursuant to act of Congress approved June 25, 1906 (34 Stat. L., 457), by quitclaim deed from the city of Boston, dated October 15, 1906, recorded with Suffolk Deeds in libro 3177, page 577.

GLOUCESTER GUN HOUSE.

This reservation contains 2,800 square feet of ground, and is situated at Gloucester, in Essex County. The title is as follows:

Deed from William Pearce and wife, dated October 15, 1808, conveying the above tract. Recorded in Book 187, Leaf 214, of the deed records of Essex County.

GLOUCESTER, WIGWAM POINT.

This reservation contains 6.50 acres, and is situated on Wigwam Point, in the town of Gloucester, in Essex County. The title is as follows:

Deed from William Griffin and wife, dated October 27, 1800, conveying the above tract. Deed recorded in Book 167, Leaf 95, of the deed records of Essex County.

FORT HEATH.

This reservation, adjoining Fort Banks, was formerly known as the "Gun Battery." It contains 16.9 acres situated in the town of Winthrop, adjoining Boston, in Suffolk County. The title is as follows:

1. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 25, 1890, conveying Lots 9 and 10 in Block 3, containing 10,301 square feet of land; also Lot 12 in Block 3, containing 5,187 square feet of land. Recorded in libro 2001, page 178, of the deed records of Suffolk County.

2. Quit-Claim Deed from William B. Rice, dated December 26, 1890, conveying Lot No. 3 in Block 2, containing 11,880 square feet of land together with the flats and riparian rights appurtenant. Recorded in libro 2001, page 202, of same records.

3. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 1, 2, 3, 14 and 15 in Block 3, containing 33,685 square feet of land; also Lots 4 and 5 in Block 3, containing 11,073 square feet of land. Recorded in libro 2001, page 180, of same records.

4. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lot 2 in Block 2, containing 11,750 square feet of land; also Lot 4 in Block 2, containing 12,230 square feet of land. Recorded in libro 2001, page 181, of same records.

5. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 1, 22 and 21 in Block 4, containing 18,406 square feet of land; also Lot 3 in Block No. 4, containing 4,807 square feet of land; also Lot 5 in Block 4, containing 4,807 square feet of land. Recorded in libro 2001, page 183, of same records.

6. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 7, 8, 9, 10 and 11 in Block 4, containing 26,051 square feet of land; also Lots 12, 13, 14, 15, 16, 17, 18, 19 and 20 in Block 4, containing 46,855 square feet of land. Recorded in libro 2001, page 185, of same records.

7. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lot 21 in Block 1, containing 14,520 square feet of land. Recorded in libro 2001, page 186, of same records.

8. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 8 and 9 in Block 5, containing 14,442 square feet of land. Recorded in libro 2001, page 188, of same records.

9. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 4 and 5 in Block 5, containing 14,442 square feet of land. Recorded in libro 2001, page 189, of same records.

10. Quit-Claim Deed from Lucy A. Woods and husband, dated December 27, 1890, conveying Lot 10 in Block 5, containing 7,700 square feet of land and all the beach, flats and riparian rights thereto belonging. Recorded in libro 2001, page 195, of same records.

11. Quit-Claim Deed from Julia B. Robbins and husband, dated December 27, 1890, conveying Lot 7 in Block 5, containing 7,200 square feet of land, with the beach, flats and riparian rights, etc. Recorded in libro 2001, page 199, of same records.

12. Quit-Claim Deed from George A. Bruce and wife, dated December 27, 1890, conveying Lot 1 in Block 2, containing 14,130 square feet of land, with the beach, flats and riparian rights, etc. Recorded in libro 2001, page 200, of same records.

13. Deed from Francis E. Galloupe and wife, dated December 27, 1890, conveying Lots 6 and 7 in Block 2, containing 34,534 square feet of land, with the beach, flats, riparian rights and dwelling. Recorded in libro 2001, page 343, of same records.

14. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated December 27, 1890, conveying Lots 1, 3, 5, 6, 7, 8, 11 and 13 in Block 3, containing 238,200 square feet of land. Recorded in libro 2001, page 203, of same records.

15. Quit-Claim Deed from Amos H. Miller and wife, dated December 29, 1890, conveying Lot 5 in Block 2, containing 12,900 square feet of land, with beach, flats and riparian rights (see restrictions). Recorded in libro 2001, page 196, of same records.

16. Quit-Claim Deed from Arthur D. McClellan and wife, dated December 30, 1890, conveying Lot 11 in Block 5, containing 8,030 square feet of land; also Lot 11 in Block 3, containing 5,187 square feet of land. Recorded in libro 2001, page 198, of same records.

17. Quit-Claim Deed from William O. Hunt, dated December 31, 1890, conveying Lot 7 in Block 3, containing 5,650 square feet of land. Recorded in libro 2001, page 193, of same records.

18. Quit-Claim Deed from Edward R. Howe and wife, dated January 2, 1891, conveying Lot No. 6 in Block 3, containing 5,561 square feet of land. Recorded in libro 2001, page 194, of same records.

19. Deed from Charles Davis, Jr., et al., Trustees, etc., dated January 5, 1891, conveying a Lot at the easterly end of Grovers Cliff, containing 238,200 square feet of land, with the flats, riparian rights, etc. Recorded in libro 2001, page 340, of same records.

20. Quit-Claim Deed from William B. Rice at al., Trustees, etc., dated April 17, 1891, conveying lands in rear of lots 4 and 5 in Block 5, and lands in rear of Lots 7, 8, 9, 10 and 11 in Block 5, by metes

and bounds (shore line). Recorded in libro 2001, page 190, of same records.

21. Deed from Nellie A. Hutchins, Guardian, etc., dated October 23, 1891, conveying Lots 2 and 4 in Block 4 and Lot 8 in Block 3, containing 15,075 square feet of land. Recorded in libro 2073, page 356, of same records.

22. Quit-Claim Deed from William B. Rice, dated May 5, 1893, conveying Lot 13 in Block 3, containing 5,187 square feet; Lot 6 in Block 4, containing 4,807 square feet; Lot 6 in Block 5, containing 6,600 square feet; aggregating 16,594 square feet of land by metes and bounds; also the land between Lot 6 in Block 5 and mean high water. Recorded in libro 2146, page 151, of same records.

23. Quit-Claim Deed from Michael Roughan, dated June 2, 1893, conveying Lots 8 and 9 in Block 2, containing 37,920 square feet of land, with the flats within side lines of lots, and all riparian rights, etc. Recorded in libro 2147, page 97, of same records.

24. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated August 1, 1893, releasing all restrictions on lots 8 and 9 in Block 2, heretofore conveyed to the United States by Michael Roughan (No. 23 ante). Recorded in libro 2147, page 88, of same records.

25. Quit-Claim Deed from William B. Rice et al., Trustees, etc., dated February 9, 1894, conveying all right, title, and interest of, in, and to the property, and also easements in streets and alleys included in Plan 3051 on file in the office of the Secretary of the Commonwealth, being the plan of land purchased or to be purchased for the purposes of National Defenses at Winthrop. Recorded in libro 2184, page 270, of same records.

26. Decree of condemnation for Lots 8 and 9 in Block 2, containing 37,920 square feet; Lot 13 in Block 3, containing 5,187 square feet; Lot 6 in Block 4, containing 4,807 square feet; Lot 6 in Block 5, containing 6,600 square feet; a tract, including a portion of Cherry Street, containing 25,422 square feet; a tract, including a portion of Elm Avenue, containing 25,420 square feet, and a tract, supposed to belong to Almira Tewksbury, containing 75,886 square feet, the whole aggregating 181,242 square feet of land in case of The United States *v.* Certain land in the Town of Winthrop, in the United States District Court for the District of Massachusetts. Decree rendered at the September Term, 1892, and filed with the record in the Clerk's Office of said Court. Petition, etc., filed and recorded also in the office of the Register of Deeds for Suffolk County in Libro 2100, page 345.

For jurisdiction see Fort Banks.

FORT INDEPENDENCE, CASTLE ISLAND.

This reservation, which includes the whole island, contains an area of about 12 acres, from measurements taken at high water, is situated in Boston Harbor about 2½ miles from India Wharf, 200 yards from City Point, and about 1,160 yards from Governor's Island, from which it is separated by the main channel. The title is as follows:

Ceded to the United States, together with jurisdiction, by an Act of the General Court of Massachusetts, approved June 25, 1798, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That an Island in the harbor of Boston, called Castle Island, be, and hereby is granted, and ceded to the United States, for the purpose of erecting forts, magazines, arsenals, dock yards, and other needful buildings thereon, for the defence of the United States; * * *

"SEC. 2. *Be it further enacted*, That the consent of this Commonwealth, be, and hereby is granted to the United States, to purchase an Island in the harbor of Boston, called Governor's Island, and also a tract of land, not exceeding six hundred and forty acres, situated in the town of Springfield, in the county of Hampshire, for the sole purpose of erecting forts, magazines, arsenals, dock yards, and other needful buildings; the evidence of the purchases aforesaid, to be entered and recorded in the Registry of Deeds in the counties where the same lands are respectively situated. *Provided*, *always*, and the cession and consent aforesaid are granted upon the express condition, That this Commonwealth shall retain a concurrent jurisdiction with the United States, in and over the islands and tract of land aforesaid, so far as that all civil and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the said islands and tract of land may be executed therein, in the same way and manner as though this cession and consent had not been made and granted."

(See also Fort Warren.)

FORT LEE.

This reservation contains an area of 2.3 acres and is situated on Salem Neck, in Salem, Essex County. The title is as follows:

Deed from the City of Salem, dated July 31, 1867, conveying the site of old Fort Lee. Recorded in Book 730, Leaf 10, of the deed records of Essex County.

LONG POINT (PROVINCETOWN).

This reservation, containing 150 acres, is situated in Provincetown Harbor, in Barnstable County. Title and jurisdiction ceded by an act of the General Court of the Commonwealth, approved March 5, 1864, as follows:

"SECTION 1. Jurisdiction is hereby granted and ceded to the United States of America, and all right of this Commonwealth to the soil thereof, over all that portion of Long Point in Provincetown Harbor extending from the extremity occupied by the Light-house, to a line drawn true west through the northern point of House Point Island, including also that island and all the flats adjacent to the premises conveyed (and all the flats adjacent to any land now owned by the United States on said point) and also over such other lands belonging to said Commonwealth in said Provincetown as the United States may take and occupy for the erection of fortifications: *Provided*, That a plan thereof shall be filed in the office of the Secretary of this Commonwealth within two years from the passage of this act. Jurisdiction is also ceded to said United States of America over all other lands in said Provincetown to which the United States may acquire title for the purposes aforesaid: *Provided*, That a plan of said premises shall be filed with the Secretary of this Commonwealth

within one year after such title of the United States is acquired, and consent is hereby given to the acquisition of such title: *Provided, always*, That this Commonwealth shall retain concurrent jurisdiction with the United States in and over all the lands aforesaid, so far that all civil processes and all criminal processes issuing under the authority of this Commonwealth, may be executed on said lands, and in any buildings thereon or to be erected thereon, in the same way and manner as if jurisdiction had not been granted as aforesaid."

LOVELL'S ISLAND.

This reservation contains about 62 acres. For title and jurisdiction see Fort Warren.

NAHANT.

(Lands at)

This reservation contains about 45 acres, and is situated at Nahant, in Essex County. The title is as follows:

1. Deed from Joseph T. Wilson, dated October 25, 1899, conveying 1,650 square feet. Entered in the Register's Office of Essex County, with Essex Deeds, So. Dist., Libro 1646, page 410.
2. Deed from Joseph T. Wilson, dated October 25, 1899, conveying 181,845 square feet. Entered in Libro 1634, page 133, same records.
3. Deed from the Nahant Land Company, dated November 1, 1899, conveying 126,324 square feet. Entered in Libro 1629, page 323, same records.
4. Deed from Clara A. Jones et al., dated November 1, 1899, conveying 8,686 square feet. Entered in Libro 1646, page 409, same records.
5. Deed from Clara A. Jones et al., dated November 1, 1899, conveying 5,775 square feet. Entered in Libro 1646, page 414, same records.
6. Deed from Alice C. McIntosh and husband, dated November 1, 1899, conveying 41,175 square feet. Entered in Libro 1646, page 441, same records.
7. Deed from the Nahant Land Company, dated November 2, 1899, conveying 14 lots therein described. Entered in Libro 1629, page 325, same records.
8. Deed from the Nahant Land Company, dated November 3, 1899, conveying 50,000 square feet. Entered in Libro 1629, page 347, same records.
9. Deed from Edward J. Johnson, dated November 3, 1899, conveying 3,750 square feet. Entered in Libro 1629, page 337, same records.
10. Deed from the Nahant Land Company, dated November 4, 1899, conveying 1,634 square feet. Entered in Libro 1634, page 138, same records.
11. Deed from the Nahant Land Company, dated November 6, 1899, conveying 121,180 square feet. Entered in Libro 1634, page 136, same records.
12. Deed from Charles G. Pendleton, dated November 7, 1899, conveying 3,526 square feet. Entered in Libro 1629, page 340, same records.

13. Deed from the Nahant Land Company, dated November 7, 1899, conveying 63,941 square feet. Entered in Libro 1646, page 416, same records.

14. Deed from the Nahant Land Company, dated November 8, 1899, conveying 114,705 square feet. Entered in Libro 1646, page 411, same records.

15. Deed from the Nahant Land Company, dated November 9, 1899, conveying 19,500 square feet. Entered in Libro 1646, page 401, same records.

16. Deed from James Morgan, dated November 27, 1899, conveying 3,750 square feet. Entered in Libro 1629, page 346, same records.

17. Deed from James S. Newhall, dated January 11, 1900, conveying two tracts therein described. Entered in Libro 1629, page 329, same records.

18. Deed from Homer H. Colby, dated January 30, 1900, conveying two tracts therein described. Entered in Libro 1629, page 326, same records.

19. Deed from John A. Richardson et al., dated January 30, 1900, conveying a tract therein described. Entered in Libro 1629, page 328, same records.

20. Deed from Euphemia Tudor, dated April 1, 1900, conveying a tract therein described. Entered in Libro 1630, page 255, same records.

21. Deed from John Long and wife, dated April 28, 1900, conveying 3,728.5 square feet. Entered in Libro 1629, page 331, same records.

22. Deed from Mary Ann Rooney et al., dated May 10, 1900, conveying a tract therein described. Entered in Libro 1652, page 466, same records.

23. Deed from Joseph T. Wilson, guardian etc., dated May 10, 1900, conveying a tract therein described. Entered in Libro 1652, page 406, same records.

24. Quit claim deed from Mary Ellen Rooney, dated May 10, 1900, conveying a tract of land therein described. Entered in Libro 1652, page 405, same records.

25. Deed from Minnie Warner, dated July 7, 1900, conveying a tract therein described. Entered in Libro 1646, page 399, same records.

26. Deed from Warren P. Dudley, dated July 10, 1900, conveying three lots aggregating 13,769 square feet. Entered in Libro 1629, page 330, same records.

27. Deed from Mary L. Hammatt, dated July 13, 1900, conveying 11,258 square feet. Entered in Libro 1629, page 334, same records.

28. Deed from Melvin A. Atkins, dated July 13, 1900, conveying 4,652.5 square feet. Entered in Libro 1629, page 342, same records.

29. Deed from Leroy S. Smith, dated July 13, 1900, conveying 3,750 square feet. Entered in Libro 1629, page 344, same records.

30. Deed from Elias W. Bourne, dated July 17, 1900, conveying 3,530.2 square feet. Entered in Libro 1629, page 345, same records.

31. Deed from Nathan H. Reed, dated July 20, 1900, conveying 3,999 square feet. Entered in Libro 1629, page 335, same records.

32. Deed from George O. Proctor, dated July 25, 1900, conveying 3,750 square feet. Entered in Libro 1629, page 336, same records.

33. Deed from George O. Proctor, dated July 25, 1900, conveying 3,749.3 square feet. Entered in Libro 1629, page 339, same records.

34. Quit-Claim Deed from Charles F. Johnson, dated July 25, 1900, conveying a tract therein described. Entered in Libro 1629, page 349, same records.

35. Deed from Frank E. Bruce, dated July 27, 1900, conveying 3,728.5 square feet. Entered in Libro 1629, page 333, same records.

36. Deed from Edward C. Johnson, dated July 30, 1900, conveying 31,777 square feet. Entered in Libro 1634, page 135, same records.

37. Deed from Charles F. Johnson, dated July 30, 1900, conveying 87,347.4 square feet. Entered in Libro 1646, page 434, same records.

38. Deed from George W. Davis and wife, dated July 31, 1900, conveying 3,113.07 square feet. Entered in Libro 1629, page 341, same records.

39. Deed from Gilbert A. Tapley, dated August 10, 1900, conveying 23,344 square feet. Entered in Libro 1646, page 403, same records.

40. Deed from Eliza Bates, dated August 10, 1900, conveying 3,750 square feet. Entered in Libro 1634, page 141, same records.

41. Deed from Jacob M. Ellis and wife, dated August 10, 1900, conveying two tracts aggregating 8,636.7 square feet. Entered in Libro 1634, page 140, same records.

42. Deed from William F. Bates, dated August 10, 1900, conveying 3,582 square feet. Entered in Libro 1634, page 132, same records.

43. Deed from Almira C. Johnson, dated August 17, 1900, conveying 87,347.4 square feet. Entered in Libro 1646, page 436, same records.

44. Deed from Mary Kennedy, dated August 22, 1900, conveying 5,872 square feet. Entered in Libro 1646, page 437, same records.

45. Deed from Edward Follen and wife, dated September 1, 1900, conveying 17,800 square feet. Entered in Libro 1646, page 405, same records.

46. Deed from Edward Follen and wife, dated September 1, 1900, conveying a tract therein described. Entered in Libro 1646, page 438, same records.

47. Deed from Peter Sullivan, dated October 1, 1900, conveying a tract therein described. Entered in Libro 1646, page 406, same records.

48. Deed from Peter Lane, dated October 1, 1900, conveying a tract therein described. Entered in Libro 1646, page 407, same records.

49. Deed from Patrick J. O'Connor, dated November 1, 1900, conveying 32,037 square feet. Entered in Libro 1646, page 440, same records.

50. Deed from Almira C. Johnson, dated November 23, 1900, conveying 22,383.9 square feet. Entered in Libro 1646, page 413, same records.

51. Deed from Francis H. Johnson, dated December 1, 1900, conveying 9,198 square feet. Entered in Libro 1652, page 408, same records.

52. Deed from Francis H. Johnson, dated December 1, 1900, conveying 6,723 square feet. Entered in Libro 1652, page 410, same records.

53. Deed from Annie W. Johnson, dated December 1, 1900, conveying 7,750 square feet. Entered in Libro 1652, page 402, same records.

54. Deed from Francis H. Johnson, dated December 1, 1900, conveying 32,436 square feet. Entered in Libro 1652, page 401, same records.

55. Deed from Charles F. Johnson, dated December 10, 1900, conveying 83,560 square feet. Entered in Libro 1646, page 404, same records.

56. Deed from Peter Lane, dated December 21, 1900, conveying a tract therein described. Entered in Libro 1652, page 409, same records.

57. Deed from Arthur A. Gibson, dated December 26, 1900, conveying 3,750 square feet. Entered in Libro 1646, page 400, same records.

58. Quit-Claim Deed from Mary E. Johnson, dated January 10, 1901, conveying two tracts therein described. Entered in Libro 1646, page 439, same records.

59. Deed from Martin Larkin, dated January 28, 1901, conveying 55,776 square feet. Entered in Libro 1646, page 418, same records.

60. Quit-Claim Deed from Mary E. Johnson, dated August 8, 1901, conveying a certain tract therein described. Entered in Libro 1652, page 401, same records.

61. Deed from Joseph T. Wilson, Administrator etc., dated September 20, 1901, conveying an undivided fifth part of a tract therein described. Entered in Libro 1652, page 404, same records.

62. Decree of condemnation in the United States District Court, for the District of Massachusetts, dated February 5, 1904, conveying the entire tract of about 45 acres. Entered in Libro 1736, page 204, same records.

Jurisdiction was ceded by an Act of the State Legislature, approved May 6, 1902, which provides as follows:

" Section 1. The consent of the Commonwealth is hereby granted to the United States of America to acquire, by purchase or by condemnation, a tract of land in the town of Nahant containing about forty-five acres, to be described in the plans provided for in section four of this act, which land is to be used for the purposes of national defence.

" Sec. 2. Jurisdiction over the area so acquired is hereby granted and ceded to the United States: *provided, always*, that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over the area so acquired, so far that all civil and criminal processes issuing under the authority of the Commonwealth may be executed on said land and in any buildings thereon or which may be erected thereon, in the same manner as if jurisdiction had not been granted as aforesaid; and *provided, also*, that the exclusive jurisdiction shall revert to and revest in the Commonwealth whenever the said land shall cease to be used for the purposes of national defence.

" Sec. 3. The United States government is hereby authorized, upon such terms and conditions as shall be prescribed by the harbor and land commissioners, to occupy and fill such flats belonging to the Commonwealth, and to place such structures in or over the tide water adjacent to the area hereby authorized to be acquired, as may be necessary for the purposes for which said area is to be used.

"SEC. 4. This act shall be void unless a suitable plan or suitable plans of the premises acquired by the United States under the provisions of this act shall be deposited in the office of the secretary of the Commonwealth within six months after the date of the acquisition thereof."

Conditions of section 4 of above Act were duly complied with.

FORT PHŒNIX.

This reservation contains an area of 2⅓ acres of land, and is situated upon the left bank of the entrance to New Bedford Harbor in Bristol County. The title is as follows:

Deed from Killey Eldridge, dated September 28, 1808, conveying 2⅓ acres with driftway privilege. Recorded in S. general, page 274, etc., of the deed records of Bristol County.

FORT PICKERING.

This reservation contains an area of about 32 acres, including a portion of Winter Island, and is situated at Salem on Hospital Point and in the harbor, in Essex County. The title is as follows:

1. Deed from the Inhabitants of Salem, dated September 1, 1794, conveying 2 acres and 1 rood with right of way. Recorded in Book 158, Leaf 190, of the deed records of Essex County.

2. Deed from the City of Salem, dated June 24, 1865, conveying a portion of Winter Island. Recorded in Book 678, Leaf 291, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 28, 1865, which provides as follows:

"SECTION 1. Jurisdiction is hereby granted and ceded to the United States of America, over all that portion of Winter Island in Salem Harbor, lying above low-water mark, which may at any time have been acquired by the United States by deed from the municipal authorities of Salem for military purposes, including the present Fort Pickering and buildings connected therewith: *provided*, that a general plan of said premises shall be filed with the secretary of this Commonwealth within one year after the passage of this act; and *provided also*, that this Commonwealth shall retain concurrent jurisdiction with the United States, in and over all the lands aforesaid, so far that all civil and criminal processes issuing under the authority of this Commonwealth, may be executed on said lands, and in any buildings thereon or to be erected thereon, in the same way and manner as if jurisdiction had not been granted as aforesaid."

Revocable Licenses: License (in form of agreement), July 12, 1870, to the Trustees of the Plumer Farm School for Boys to occupy reservation and buildings thereon.

License, January 7, 1871, to the Treasury Department to place a beacon-light and small cottage on the reservation.

License, September 19, 1879, to the Treasury Department to occupy a portion of the reservation for light house purposes.

PITTSFIELD (LAND AT).

This reservation contains an area of 21 acres and 90 square rods, and is situated in the Town of Pittsfield, in Berkshire County. The title is as follows:

1. Deed from William Allen, dated May 23, 1812, conveying 1 acre and buildings. Recorded in Book No. 50, page 185, of the deed records of Berkshire County.

2. Deed from William Allen, Executor, etc., dated October 26, 1814, conveying 13 acres. Recorded in Book No. 55, page 128, of same records.

3. Deed from William Allen, Executor, etc., dated October 26, 1814, conveying 7 acres and 90 square rods. Recorded in Book No. 55, page 170, of same records.

FORT REVERE.

This reservation contains an area of 77.505 acres, according to survey by First Lieut. G. R. Lukesh, Corps of Engineers, under the direction of Lieut. Col. W. S. Stanton, Corps of Engineers. See G. O. 69, W. D., May 6, 1905.

It is situate at Nantasket Head, in the Town of Hull. The title is as follows:

1. Deed from Eliza J. H. Andrew, dated September 21, 1897, conveying 1,524,600 square feet of land. Recorded in Book 765, page 1, etc., of the records of Plymouth County.

2. Deed from John J. Eaton and wife, dated April 29, 1898, conveying 16,711 square feet of land. Recorded in Book 758, page 108, of same records.

3. Deed from Fitz Henry Smith and wife, dated April 29, 1898, conveying 16,711 square feet. Recorded in Book 758, page 109, of same records.

4. Deed from Martin L. Cate and wife, dated June 18, 1898, conveying 13,318 square feet. Recorded in Book 820, page 103, of same records. The above tract was acquired by condemnation proceedings in the U. S. District Court of Massachusetts. Decree rendered April 29, 1901.

5. Deed from Albert L. Knight, et al., dated June 28, 1898, conveying 103,716 square feet of land. Recorded in Book 805, page 60 etc., of same records.

6. Deed from Floretta Vining, dated June 30, 1898, conveying 100,000 square feet of land. Recorded in Book 775, page 492–3, of same records.

7. Deed from Louis Prang, dated October 15, 1898, conveying 13,295 square feet of land. Recorded in Book 820, page 104, of same records.

8. Deed from Lewis P. Loring et al., dated March 13, 1899, conveying certain land therein described. Recorded in Book 776, page 262, of same records.

9. Deed from the Battery Heights Land Company, dated April 29, 1899, conveying 347,748 square feet of land. Recorded in Book 765, page 6, etc., of same records.

10. Deed from Arthur Foote and wife, dated July 14, 1899, conveying 11,688 square feet of land. Recorded in Book 790, page 447, of same records.

11. Right to enter "Battery Heights Sewer" acquired by deed from Selectmen of the Town of Hull, dated November 20, 1902.

Jurisdiction was ceded by an act of the State Legislature, approved June 8, 1898, which provides as follows:

"SECTION. 1. *Be it enacted, etc.*, The consent of the Commonwealth of Massachusetts is hereby granted to the United States of America to purchase two tracts of land in the town of Hull, covering parts of the heights known as Telegraph or Nantasket Hill, and Cushing Hill, the same to be used for national defense.

"SEC. 2. Jurisdiction over the area so purchased is hereby granted and ceded to the United States: *provided* (and the cession and consent aforesaid are granted upon the express condition), that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over the land so purchased, so far as that all civil processes and such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the said tracts of land may be executed therein in the same manner as though this cession had not been granted.

"SEC. 3. The United States government is hereby authorized, upon such terms and conditions as shall be prescribed by the harbor and land commissioners, to occupy and fill such flats belonging to the Commonwealth, and to place such structures in or over the tide water adjacent to the area herein authorized to be purchased as may be necessary for the purposes for which said area is to be used.

"SEC. 4. This act shall be void unless a suitable plan or plans of the premises purchased by the United States under the provisions of this act shall be deposited in the office of the secretary of the Commonwealth within one year from the passage of this act."

There being a question as to whether this Act covered the entire reservation, its provisions were extended by act of the General Court, approved May 25, 1905 (Chapter 455, Acts and Resolves of 1905), providing as follows:

"SECTION 1. The provisions of chapter five hundred and twelve of the acts of the year eighteen hundred and ninety-eight, entitled 'An act to approve the purchase by the United States of two tracts of land in the town of Hull, and to cede jurisdiction over the same to the national government,' are hereby extended to include all those lands heretofore acquired by the United States and now constituting the military reservation of Fort Revere, Massachusetts, aggregating, with beach and flats to low water mark, about seventy-seven and one-half acres—the same being shown on a map or survey of said reservation in June, nineteen hundred and four, by first lieutenant G. R. Lukesh, Corps of Engineers, United States Army, under the direction of Lieutenant Colonel W. S. Stanton, Corps of Engineers, United States Army."

Easements: The reservation was acquired subject to an easement in the New York, New Haven and Hartford Railroad Company for a railway across the reservation; and subject to an easement in the County Commissioners of Plymouth County for a road crossing the reservation.

Revocable License: License, May 14, 1904, to the Boston Chamber of Commerce to maintain a marine reporting station on Nantasket Hill. Amended by letter of Acting Secretary of War of October 28, 1904.

FORT RODMAN.

This reservation contains about 69 acres of land, and is situated near New Bedford, in Bristol County. The title is as follows:

1. Deed from Francis Allen, dated June 2, 1800, conveying 141 rods of upland (Light-House site). Recorded in Book 79, North District, Land records of Bristol County, page 132, etc.

2. Deed from Butler H. Bixby, dated September 24, 1857, conveying 60 acres of land by metes and bounds, exclusive of the light-house tract and certain roads included therein. Recorded in Book 34, page 431, etc., of same records.

3. Deed of release from E. W. Howland, dated June 10, 1859, conveying all interest in all the roads at Clark's Point subject to the conditions of an agreement between the Special Board of Engineers and the City of New Bedford. Recorded in Liber 40, folio 232, etc., of same records.

4. Ordinance of City of New Bedford authorizing Mayor and others to bind the city in the matter of an agreement with the United States in regard to roads. Dated March 31, 1859. In office of City Clerk.

Jurisdiction ceded to the United States by the acts of the State Legislature, approved April 8, 1856, and May 4, 1857, which provide as follows:

"SECTION 1. Jurisdiction is hereby ceded to the United States over Egg Island Shoal, in the harbor of New Bedford, to include all of said shoal above or within low-water mark, and so much thereof, without low-water mark, as shall be bounded by lines drawn four hundred yards distant from, and parallel to, the faces of any fort to be built thereon. Jurisdiction is also ceded to the United States over any tract or tracts of land on Clark's Point, in the city of New Bedford, that may be acquired by the United States for the purpose of building and maintaining thereon forts, magazines, arsenals, dock-yards, wharves, and other structures, with their appendages; and over all the contiguous shores, flats, and waters, within four hundred yards from low-water mark; and all right, title, and claim, which this Commonwealth may have to or in the premises aforesaid, is hereby granted to the United States; *Provided*, that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over all the premises aforesaid, so far as that all civil processes and such criminal processes as may issue under the authority of this Commonwealth, against any person or persons charged with crimes committed without the premises aforesaid, may be executed therein in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The premises over which jurisdiction is granted by this act, and all structures and other property thereon, shall be exonerated and discharged from all taxes and assessments which may be laid or imposed under the authority of this Commonwealth while said premises shall remain the property of the United States, and shall be used for the purposes intended by this act." (Approved, April 8, 1856.)

"*Be it enacted, etc.*, The consent of this Commonwealth is hereby granted to the United States taking possession of such and so much

land on Clark's Point, in the City of New Bedford, as the United States shall deem needful for the purpose of military defense, upon just and full compensation being provided for the owners thereof or of any easement in or over the same, in the manner prescribed by law for damages sustained by individuals whose lands are taken for public highways in this Commonwealth; but the consent so given shall not impede the execution of any process, civil or criminal, issued under the authority of this Commonwealth, except so far as such process may affect the real or personal property of the United States within the said territory." (Approved, May 4, 1857.)

SALEM (LOT IN).

This property contains an area of about 16,400 square feet of land and is situated in Salem in Essex County. The title is as follows:

Deed from John Crowningshield et al., dated June 23, 1818, conveying the above tract. Recorded in Book 216, Leaf 198, of the deed records of Essex County.

SALEM GUN HOUSE.

This property contains an area of 1,600 square feet and is situated in Salem in Essex County. The title is as follows:

Deed from the inhabitants of Salem, dated December 20, 1808, conveying the above tract. Recorded in Book 187, Leaf 215, of the deed records of Essex County.

SALISBURY BEACH.

This reservation contains about 2 acres and is situated at the Town of Salisbury in Essex County. The title is as follows:

1. Deed from The Commoners of Salisbury, dated August 9, 1808, conveying 1 acre of beach or upland and all the rocks and flats included within described bounds. Recorded in Book 185, Leaf 210, of the deed records of Essex County.
2. Deed from the Commoners of Salisbury, dated June 4, 1835, conveying 1 acre including all of Badger's Rocks. Recorded in Book 285, Leaf 51, of same records.

FORT SEWELL.

This reservation occupies the site of an old earthwork and is situated at the west entrance to Marblehead Harbor. The land was acquired by virtue of an act of Congress approved March 30, 1794. The title is as follows:

1. Deed from Russell Trevett, dated August 30, 1794, conveying a tract of land as a part of Gale's Head, excepting the ground whereon the fort was anciently built, with right of way, etc. Recorded in Book 158, Leaf 197, of the deed records of Essex County.
2. Deed from the Inhabitants of the Town of Marblehead, dated August 30, 1794, conveying part of Gale's Head anciently reserved to said Inhabitants and hitherto occupied as a Fort with right of way, etc. Recorded in Book 158, Leaf 197, of same records.

SPRINGFIELD ARMORY.

This reservation is situated at Springfield in Hampden County. The title is as follows:

1. Deed from Nathaniel Patton and wife, dated June 22, 1795, conveying 1 acre and 2 roods of land with privilege of erecting a dam, etc. Recorded in office of the Registry of Deeds for Hampshire County, June 23, 1795.

2. Deed from John Ashley and wife, dated September 19, 1798, conveying 1 acre and 136 rods of land with the privilege of erecting a dam, etc. Recorded September 19, 1798, in same records.

3. Deed from the Inhabitants of the Town of Springfield, dated August 24, 1801, conveying 30 acres 2 roods and 14 rods. Recorded in Liber 40, folio 216, of same records.

4. Deed from Jonathan Dwight et al., dated October 16, 1807, conveying 139 perches of land. Recorded in Liber 47, folio 546, of same records.

5. Deed from the Town of Springfield, dated September 2, 1808, conveying 127 rods of land. Recorded in Liber 49, folio 310, of same records.

6. Deed from James Byers, dated January 9, 1809, conveying lot in Springfield; area not given. Recorded in Liber 47, folio 618, of same records.

7. Deed from John Ashley, dated January 10, 1809, conveying 117 rods of land. Recorded in Liber 49, pages 72, etc., of same records.

8. Deed from Geralds Warner, dated March 2, 1809, conveying 7 acres and 95 rods. Recorded in Liber 50, folio 156, of same records.

9. Deed from Daniel Ashley and wife, dated April 17, 1809, conveying 15 acres. Recorded in Liber 50, folio 297, of same records.

10. Deed from Jonathan Dwight, jr., dated June 10, 1809, conveying 5 acres. Recorded in Liber 50, folio 380, of same records.

11. Deed from Jacob Bliss, dated December 13, 1809, conveying 60 rods of land. Recorded in Liber 47, folio 686, of same records.

12. Deed from William Carlisle, dated January 26, 1811, conveying 6 acres and 79 rods of land. Recorded in Liber 51, folio 595, of same records.

13. Deed from Trustees of the School Funds in Town of Springfield, dated May 9, 1812, conveying 16 acres 2 roods and 30 rods of land. Recorded in Liber 49, folio 640, etc., of same records.

14. Deed from James Byers and wife, dated May 13, 1812, conveying 72 rods of land. Recorded in Liber 53, folio 619, of same records.

15. Deed from James Carew and wife, dated May 13, 1812, conveying a lot in Springfield. Recorded in Liber 53, folio 617, of same records.

16. Deed from Calvin Barret and wife, dated May 13, 1812, conveying a lot in Springfield. Recorded in Liber 53, folio 618, of same records.

17. Deed from Obed Wright and wife, dated May 14, 1812, conveying 17 rods of land. Recorded in Liber 53, folio 620, of same records.

18. Deed from Josiah Comstock and wife, dated May 16, 1812, conveying 36 rods, etc., of land. Recorded in Liber 53, folio 621, of same records.

19. Deed from William Wood, Jr., and wife, dated May 26, 1812, conveying a lot in Springfield. Recorded in Liber 53, folio 622, of same records.

20. Deed from E. Cooley and wife, dated May 28, 1812, conveying a lot in Springfield. Recorded in Liber 53, folio 623, of same records.

21. Deed from Lemuel Wheeler, dated June 4, 1812, conveying 0.50 acre. Recorded in Liber 53, folio 642, of same records.

22. Deed from George Blake and wife, dated June 5, 1817, conveying 8 acres and 3 roods. Recorded in Liber 62, folio 252, of same records.

23. Deed from the Trustees of the School Funds, etc., dated September 30, 1817, conveying two tracts in Springfield. Recorded in Liber 61, folio 210, of same records.

24. Deed from John Ashley, dated May 27, 1819, conveying 80 square rods and rights in bed of river. Recorded in Liber 64, folio 311, of same records.

25. Deed from Samuel Warner and wife et al., dated August 8, 1822, conveying 5 acres and 95 rods. Recorded in the office of the Registry of Deeds in Hampden County, September 21, 1822.

26. Deed from William Carlisle, dated June 24, 1824, conveying 2 acres 1 rood and 87 rods. Recorded in Liber 71, folio 549, of same records.

27. Deed from Thaddeus Ferro, dated June 24, 1824, containing 2 acres and 69 rods of land. Recorded in Liber 71, folio 548, of same records.

28. Deed from Lemuel Charter, dated April 21, 1825, conveying 2 acres and 92 rods. Recorded in Liber 74, folio 633, of same records.

29. Deed from Solomon Hatch, dated September 14, 1825, conveying 40 rods of land and right of way, etc. Recorded in Liber 75, folio 186, of same records.

30. Deed from Abiram Morgan, dated December 20, 1827, conveying a spring of water, etc. Recorded in Liber 77, folio 724, of same records.

31. Deed from Jonathan Dwight, Jr., and wife, dated July 3, 1830, conveying 5.50 acres. Recorded in liber 82, folio 179, of same records.

32. Deed from Homer J. Wood and wife, dated February 22, 1845, conveying a lot in Springfield. Recorded in Liber 128, folio 74, of same records.

33. Deed from Walter H. Bowdoin and wife, dated May 24, 1845. conveying a lot in Springfield. Recorded in Liber 127, folio 311, of same records.

34. Deed from Samuel Currier and wife, dated May 26, 1845, conveying 28 rods of land, with reservations, etc. Recorded in Liber 128, folio 177, of same records.

35. Deed from George Bliss and wife, dated May 26, 1845, conveying a lot in Springfield. Recorded in Liber 128, folio 176, of same records.

36. Deed from Persis Taylor, dated May 31, 1845, conveying 6 rods of land. Recorded in Liber 129, folio 435, of same records.

37. Deed from Benedick Fenwick, dated October 15, 1845, conveying a lot in Springfield. Recorded in Liber 130, folio 447, of same records.

38. Deed from William Sheldon, dated October 23, 1845, conveying lots in Springfield. Recorded in Liber 131, folio 118, of same records.

39. Deed from James Brewer, dated July 15, 1845, conveying 12 acres and water privileges. Recorded in Liber 133, folio 126, of same records.

40. Deed from the Inhabitants of Springfield, dated October 12, 1846, conveying by way of exchange of certain lands by authority of an act of Congress approved March 3, 1846. Recorded in Liber 132, folio 336, of same records.

41. Deed from James M. Crooks, dated October 2, 1846, conveying Lots 9 and 10; also a strip 3 feet wide adjoining the same; also a strip 3 feet wide on Sumner Street. Recorded in Liber 135, folio 410, of same records.

42. Deed from James M. Crooks, dated October 2, 1846, conveying by release all interest in Sumner Street. Recorded in Liber 132, folio 336, of same records.

43. Deed from James Brewer, dated October 19, 1846, conveying by way of release all interest in certain roads. Recorded in Liber 133, folio 212, of same records.

44. Deed from James Brewer, dated October 19, 1846, conveying a lot in Springfield. Recorded in Liber 136, folio 150, of same records.

45. Deed from Samuel Dale and wife, dated November 16, 1846, conveying a lot in Springfield. Recorded in Liber 132, folio 426, of same records.

46. Deed from Walter H. Bowdoin and wife, dated November 30, 1846, conveying a lot in Springfield. Recorded in Liber 132, folio 425, of same records.

47. Deed from Walter H. Bowdoin and wife, dated December 18, 1847, conveying 120 square rods of land in Springfield. Recorded in Liber 139, folio 483, of same records.

48. Deed from Walter H. Bowdoin and wife, dated December 18, 1847, conveying Lots 6 and 7 of Cottage Homestead, Springfield, etc. Recorded in Liber 140, folio 234, of same records.

49. Deed from Walter H. Bowdoin and wife, et al., dated December 18, 1847, conveying Lot 8 of Cottage Homestead, in Springfield. Recorded in Liber 140, folio 235, of same records.

50. Deed from George T. Bond, dated February 28, 1848, conveying 3 roods of land. Recorded in Liber 140, folio 219, of same records.

51. Deed from James Indicott and wife, et al., dated March 31, 1848, conveying Lot 5 in Cottage Homestead, addition to Springfield. Recorded in Liber 141, folio 220, of same records.

52. Deed from Walter H. Bowdoin and wife, dated September 30, 1848, conveying 2 roods of land. Recorded in Liber 145, folio 170, of same records.

53. Deed from Reuben A. Chapman and wife, dated September 22, 1848, conveying by release, etc., a lot in Springfield. Recorded in Liber 133, folio 215, of same records.

54. Deed from John Mills and wife, dated September 30, 1848, conveying by release, etc., a lot in Springfield. Recorded in Book 142, page 610, of same records.

55. Deed from Jacob Ladd and wife, dated January 13, 1849, conveying 10 acres 3 roods and 35½ rods of land. Recorded in Book 146, page 286, of same records.

56. Deed from Corbin O. Wood and wife, et al., dated February 1, 1849, conveying 18 acres 2 roods and 51¾ rods of land, etc. Recorded in Book 146, page 290, of same records.

57. Deed from Elisha Benton and wife, dated February 1, 1849, conveying 7 acres and 4 rods of land, etc. Recorded in Book 146, page 285, of same records.

58. Deed from Luman Spencer and wife, dated February 1, 1849, conveying a tract of land in Springfield, etc. Recorded in Book 146, page 289, of same records.

59. Deed from Seth Thayer and wife, dated February 1, 1849, conveying a tract in Springfield. Recorded in Book 146, page 284, of same records.

60. Deed from Charles P. L. Warner and wife, dated February 10, 1849, conveying 3 acres 2 roods and 6 rods of land, etc. Recorded in Book 146, page 288, of same records.

61. Deed from James W. Crooks, Guardian, etc., dated March 22, 1849, conveying 8 acres 3 roods and 87 rods of land, etc. Recorded in Book 146, page 313, etc., of same records.

62. Deed from Orrin C. Andrus, dated March 23, 1849, conveying 24 rods of land, etc. Recorded in Book 147, page 344, of same records.

63. Deed from Sophia Charter and husband, dated May 21, 1849, conveying 2 acres 1 rood and 33 rods of land, etc. Recorded in Liber 150, folio 462, of same records.

64. Deed from Roswell Shurtliff and wife, dated March 18, 1851, conveying a tract of land in Springfield, with roadway, etc. Recorded in Liber 159, folio 139, of same records.

65. Deed from the Trustees of the School Funds, etc., dated August 30, 1851, conveying strip of land for a sidewalk. Recorded in Liber 166, folio 95, of same records.

66. Deed from Persis Taylor, dated June 1, 1852, conveying a tract of land in Springfield. Recorded in Liber 160, folio 300, of same records.

67. Deed from the Western Railroad Company, dated June 19, 1852, conveying certain water rights, easements, etc. Recorded in Liber 166, folio 96, of same records.

68. Deed from George Bliss and wife, dated July 8, 1856, conveying 4 acres and 22.92 rods of land upon condition, etc. Recorded in Book 183, page 372, of same records.

69. Deed from James T. Ames and wife, dated July 29, 1856, conveying a tract of land in Springfield. Recorded in Liber 182, folio 514, of same records.

70. Deed from Thomas Knox and wife, dated October 15, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 13, of same records.

71. Deed from Henry J. Fuller and wife, dated October 15, 1857, conveying a tract of land to raise height of dam etc. Recorded in Book 193, page 12, of same records.

72. Deed from John Ashley and wife, dated October 17, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 114, of same records.

73. Deed from Hezekiah Burt and wife, dated October 19, 1857, conveying a tract of land to raise the height of dam, etc. Recorded in Book 193, page 115, of same records.

74. Deed from Harmony A. Fletcher, dated October 21, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 14, of same records.

75. Deed from R. S. Austin and wife, dated October 31, 1857, conveying certain tracts of land to raise height of dam, etc. Recorded in Book 193, page 8, of same records.

76. Deed from Samuel Walker and wife, dated October 31, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 16, of same records.

77. Deed from Philos B. Tyler and wife, dated November 2, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 10, of same records.

78. Deed from Charles G. Rice and wife, dated November 4, 1857, conveying the right to flow his land by raising dam 10 feet. Recorded in Book 193, page 14, of same records.

79. Deed from Jonathan Carlisle and wife, dated November 5, 1857, conveying tracts of land to raise height of dam, etc. Recorded in Book 193, page 59, of same records.

80. Deed from Samuel Aspinwall, Guardian, etc., dated November 12, 1857, conveying tracts of land to raise height of dam, etc. Recorded in Book 193, page 57, of same records.

81. Deed from Elisha Benton et al., dated December 2, 1857, conveying lands to raise height of dam, etc. Recorded in Book 193, page 112, of same records.

82. Deed from The City of Springfield, dated December 8, 1857, conveying all right in certain highways and release of damage by flowage, etc. Recorded in Book 193, page 111, of same records.

83. Deed from Seth Thayer and wife, dated December 10, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 116, of same records.

84. Deed from David F. Ashley and wife, dated December 15, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 132, of same records.

85. Deed from Daniel Gay and wife, dated December 24, 1857, conveying a tract of land to raise height of dam, etc. Recorded in Book 193, page 133, of same records.

86. Deed from Daniel Charter and wife, dated June 10, 1858, conveying a tract of land to raise height of dam, etc. Recorded in Book 195, page 127, of same records.

87. Deed from Edward Ingersoll and wife, dated May 14, 1859, conveying 1 acre of land with privilege of erecting a Powder Magazine with right of way, etc. Recorded in Book 198, page 153, of same records.

88. Deed from John Ashley and wife, dated June 2, 1859, conveying 41.88 rods of land for a highway; also a right of way for a race way, etc. Recorded in Liber 199, folio 11, of same records.

89. Deed from Horace Kibbe and wife, dated September 3, 1860, conveying a tract of land in Springfield with conditions. Recorded in Book 205, page 480, of same records.

90. Deed from R. E. Ladd et al., dated July 16, 1863, conveying a right of way and privilege of laying conduits, etc. Recorded in Book 221, page 212, of same records.

91. Lease for ninety-nine years, etc., from Henry S. Fuller, dated December 13, 1864, leasing a certain described tract of land in Springfield. Recorded in Book 230, page 369, of same records.

92. Deed from James T. Ames and wife, dated February 9, 1867, conveying a tract of land in Springfield. Recorded in Book 245, page 436, of same records.

93. Deed from James T. Ames and wife, dated December 3, 1868, conveying a tract of land in Springfield. Recorded in Book 259, page 448, of same records.

94. Deed from R. E. Ladd and wife, dated December 17, 1868, conveying a tract of land in Springfield. Recorded in Book 259, page 511, of same records.

95. Deed from Edward P. Chapin and wife, dated January 28, 1869, conveying a tract of land in Springfield. Recorded in Book 259, page 147, of same records.

96. Deed from Charles Phelps and wife, dated August 2, 1870, conveying 3 acres of land and release of other interests. Recorded in Book 274, page 533, of same records.

For jurisdiction see Fort Independence. See Appendix, pages 435, 436.

Revocable Licenses: License July 13, 1898, to Board of Public Works, city of Springfield, for sewer along Mill street.

License May 13, 1901, to same, for intercepting sewer around north shore of Water Shops Pond.

FORT STANDISH.

This reservation contains an area of 6.9 acres, and is situated on Saquish Head at the Northern entrance to Plymouth Harbor, 4 miles by water from the City of Plymouth, in Plymouth County. The title is as follows:

Deed from Samuel Burgess et al., dated June 10, 1870, conveying the tract embraced in reservation. Recorded in Book 366, page 79, of the Registry of Deeds of Plymouth County. The above purchase made by virtue of an act of Congress approved March 2, 1867.

For jurisdiction see Fort Andrew.

Lease for 5 years, from April 25, 1906, to A. S. Wadsworth of the reservation with permission to erect a small house thereon.

Authority granted October 15, 1902, to Treasury Department for range lights, new site for keeper's dwelling, use of wharf, etc., on reservation.

FORT STRONG.

This reservation contains an area of about 64.804 acres, of which 44.282 acres are above mean high water and about 20.522 acres flats. It is situated in Boston Harbor and was acquired under an act of Congress entitled "An Act to authorize the entry and occupation of a portion of Long Island in Boston Harbor for military purposes," approved March 28, 1867. The title is as follows:

1. Decree of condemnation for 35.39 acres in case of the United States *v.* James T. Austin and Loring H. Austin, in the Superior Court of the County of Suffolk, Commonwealth of Massachusetts. Decree rendered May 27, 1869, and filed, with the record in said cause, in the Office of the Clerk of said Court.

2. Decree of condemnation for 14.29 acres and shore line, in case of The United States *v.* Peter Dunbar and Thomas J. Dunbar, in the Superior Court of the County of Suffolk, Commonwealth of Massachusetts. Decree rendered January 18, 1870, and filed, with the record in said case, in the Office of the Clerk of said Court.

3. Decree of condemnation for 15.124 acres in cause 1087, entitled "The United States *v.* Certain Land on Long Island," in the District Court of the United States for the District of Massachusetts. Decree rendered June 1, 1900, and filed June 27, 1900, in Clerk's Office of said Court.

4. Quit Claim Deed from the City of Boston, dated June 25, 1900, conveying above 15.124 acres. Deed Recorded in Liber 2698, page 440, of the records of Suffolk County.

On September 13, 1900, The War Department and Treasury Department exchanged tracts of land containing 1 acre and 32 poles each and certain rights of way, in order to prevent injury to the light-house by the firing of heavy guns.

Consent to the purchase or condemnation and jurisdiction ceded by the following acts of the General Court, etc., approved June 4, 1868, which provide as follows:

"SECTION 1. The consent of the Commonwealth is hereby granted to the United States to purchase a tract of low land situated on Long Island in Boston Harbor, said low land being a narrow isthmus connecting the East Head of Long Island with the main or central portion of said Island; said isthmus belonging to T. J. Dunbar and Peter Dunbar, Trustees, comprising by estimation about ten acres, for the erection of military works for the defense of said harbor, for the erection of a sea wall as a part of the system for the improvement of said harbor for commercial purposes and for the purpose of providing a landing place for convenience in reaching the said East Head of Long Island; and the consent of this Commonwealth is also hereby given to said United States to purchase, occupy and fill the flats appurtenant to said isthmus for the aforesaid objects, and to the extent of four hundred yards from low-water mark; *provided, always*, and the consent aforesaid is granted upon the express condition and reservation that this Commonwealth shall retain concurrent jurisdiction with the United States in and over the tract of low land, to wit, the said isthmus, and the flats aforesaid, for the service of all civil process and such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes or offences against the laws of this Commonwealth, committed without the said tract of low land, to wit, the said isthmus and flats, and that said civil and criminal processes may be executed thereon in the same way and manner, and with the same effect, as if the consent aforesaid had not been granted.

(Section 2 provides for condemnation in case of a failure of agreement of sale and purchase. Act approved June 4, 1848, Chapter 292.)

"SECTION 1. The consent of this Commonwealth is hereby granted to the United States to purchase a tract of upland situated on Long Island in Boston Harbor, and known as the East Head of Long Island, belonging to James T. Austin and Loring H. Austin, comprising, by estimation, about twenty-four acres, for the erection of military works for the defense of said harbor, and for the erection of a sea wall as a part of the system for the improvement of said harbor for commercial purposes, and to purchase, occupy and fill the flats appurtenant to said tract for the aforesaid objects, and to the extent of four hundred yards from low-water mark; *provided, always*, and the consent aforesaid is granted upon the express condition and reservation that this Commonwealth shall retain concurrent jurisdiction with the United States in and over the tract of upland and the flats aforesaid, for the service of all civil process and of such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes or offences against the laws of this Commonwealth, committed without the said tract of uplands and flats, and that said civil and criminal processes may be executed thereon in the same way and manner and with the same effect as if the consent aforesaid had not been granted."

(Section 2 provides for condemnation in case of failure of agreement of sale and purchase. Act approved June 4, 1868, Chapter 293.)

See also Act approved March 28, 1900.

Revocable Licenses: License, January 26, 1884, to the Treasury Department to occupy a portion of the reservation with the buildings thereon for light house purposes.

License, November 22, 1887, to the New England Telephone and Telegraph Company to maintain and use a telephone line upon the reservation.

License, February 6, 1900, to the city of Boston to land a submarine cable on the reservation to connect the quarantine station at Gallop's Island with the city of Boston.

License, January 23, 1902, to the city of Boston to lay a 12 inch water main on the reservation.

FORT WARREN.

This reservation contains an area of about 38 acres and includes the whole of Georges Island, in Suffolk County. It is situated near the outlet entrance to Boston Harbor, and is about 7⅛ miles from the City of Boston by the main ship channel. The title is as follows:

Deed from the City of Boston, dated June 23, 1825, conveying George's and Lovell's Islands. Recorded in Liber 301, folio 9, of the deed records of Suffolk County.

Jurisdiction was ceded to the United States by an act of the State Legislature, passed February 7, 1846, which provides as follows:

"SECTION 1. Jurisdiction is hereby granted and ceded to the United States over two islands in Boston harbor, known as George's Island and Lovell's Island, upon the former of which the United States are erecting works of fortification known as Fort Warren.

"SEC. 2. The consent of this Commonwealth is hereby granted to the United States to purchase an island in the harbor of Boston,

called Governor's Island, for the purpose of erecting thereon forts, magazines, arsenals, dockyards, and other needful buildings; the evidence of the purchase aforesaid to be entered and recorded in the registry of deeds, in the county of Suffolk, and Commonwealth of Massachusetts; and the jurisdiction over the said Governor's Island is hereby granted and ceded to the United States: *Provided, always*, and the cession and consent aforesaid are granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the islands aforesaid, so far as that all civil processes, and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the said islands, may be executed therein in the same way and manner as though this cession and consent had not been made and granted.

"SEC. 3. The property over which jurisdiction is granted by this act shall be exonerated and discharged from all taxes and assessments which may be laid or imposed under the authority of this Commonwealth, while the said islands shall remain the property of the United States, and shall be used for the purposes intended by this act."

WATERTOWN ARSENAL.

This reservation contains an area of about 54 acres, and is situated at Watertown, in Middlesex County. The title is as follows:

1. Deed from Thomas Learned and wife, dated September 23, 1816, conveying 20 acres 3 roods and 39 poles of land. Recorded in Book 219, page 56, of the deed records of Middlesex County.

2. Decree of condemnation for 18 acres 2 roods and 134 perches of land adjoining land purchased from Learned, in case of the United States *v.* John Baxter et al., in the Circuit Court of Common Pleas for the Middle Circuit for the County of Middlesex. Decree rendered and filed with the record in said cause in the Clerk's office of said Court at Concord, in said County.

3. Deed from Jonathan Child et al., dated July 28, 1830, conveying 3 acres 3 roods and 13 rods of land. Recorded in Book 299, page 324, of the deed records of Middlesex County.

4. Deed from John Baxter et al., dated September 28, 1830, conveying 1 rood 8 poles and 354 square links of land. Recorded in Book 298, page 514, of same records.

5. Decree of condemnation for 1 rood 8 poles and 354 square links of land, in case of the United States *v.* Elizabeth Bates et al., before the County Commissioners at Cambridge, in Middlesex County. Decree rendered and filed with the record in the office of the County Commissioners at Cambridge, in Middlesex County, March 30, 1831.

6. Deed from Thomas Learned and wife, dated April 15, 1839, conveying 10 acres of land. Recorded in Book 381, page 296, of the deed records of Middlesex County.

7. Deed from William Sears and wife, dated September 23, 1867, conveying 44 acres of land. Recorded in Book 1018, page 230, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved June 17, 1816, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of this Commonwealth be, and hereby is, granted to the United States, to purchase a

tract of land not exceeding sixty acres, situated in the town of Watertown, in the county of Middlesex, on the left bank of Charles River, about one mile below the Watertown bridge, so called, for the purpose of erecting forts, magazines, arsenals, dock yards, and other needful buildings; the evidence of the purchase aforesaid to be entered and recorded in the registry of deeds in the said county of Middlesex: *Provided always*, And the consent aforesaid is granted upon the expressed condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the tract of land aforesaid, so far as that all civil and such criminal processes as may issue under the authority of this Commonwealth against any person or persons charged with crimes committed without the said tract of land may be executed therein, in the same way and manner as though this consent had not been made or granted."

Revocable Licenses: License, December 28, 1894, to the New England Telephone and Telegraph Company to maintain and use its line of poles already constructed on the reservation.

License, October 28, 1904, to Town of Watertown to lay and maintain a drain through the arsenal grounds.

FORT WINTHROP.

This reservation embraces the whole of what is known as Governor's Island, situated in Boston Harbor, and contains 72 acres. The title is as follows:

1. Deed from James Winthrop, dated May 18, 1808, conveying 6 acres of Governor's Island. Recorded in Liber 225, folio 193, of the deed records of Suffolk County.

Quit claim deed from Charles A. Bigelow and wife, dated February 23, 1846, conveying all interest in Governor's Island. Deed recorded in Liber 558, folio 1, of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature, approved June 25, 1798, and February 7, 1846, (See acts under Fort Independence and Fort Warren), and by the following act, passed March 12, 1808:

"*Be it enacted, etc.*, That all the provisions in the act, to which this act is in addition, relative to the purchase, jurisdiction, and tenure of Governor's Island, in the harbor of Boston, shall be construed to extend, and shall extend to any part or portion of said Island, which may be selected or designated on the part and behalf of the United States, by their proper officers, for the purposes expressed in said act: *Provided, however*, That all those parts of said Island, which shall not be taken to the use of the United States within two years from the passing of this act, shall remain free from any claim of the United States, in virtue of the act to which this is in addition."

MICHIGAN.

GENERAL ACTS OF CESSION.

"SECTION 1. *The People of the State of Michigan enact*, That the jurisdiction of this State is hereby ceded to the United States of America, over all such pieces or parcels of land within the limits of

this State as have been or shall hereafter be selected and acquired by the United States, for the purpose of erecting post-offices, custom-houses, or other structures exclusively owned by the general government, and used for its purposes: *Provided*, That an accurate description and plat of such lands so acquired, verified by oath of some officer of the general government having knowledge of the facts, shall be filed with the Governor of this State: *And provided further*, That this cession is upon the express condition that the State of Michigan shall so far retain concurrent jurisdiction with the United States, in and over all lands acquired or hereafter acquired as aforesaid, that all civil and criminal process issued by any court of competent jurisdiction, or officers having authority of law to issue such process, and all orders made by such court, or any judicial officer duly empowered to make such orders, and necessary to be served upon any person, may be executed upon said lands, and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The lands aforesaid, when so acquired, shall forever be exempt from all taxes and assessments, so long as the same shall remain the property of the United States." (Act of March 29, 1871. Compiled Laws, 1897, Vol. 1, p. 452.)

"SECTION 1. That the United States of America shall have power to purchase, or to condemn, in the manner prescribed by its laws, upon making just compensation therefor, any land in the State of Michigan required for custom-houses, arsenals, light-houses, National Cemeteries, or for other purposes of the government of the United States.

"SEC. 2. The United States may enter upon and occupy any land which may have been or may be purchased or condemned, or otherwise acquired, and shall have the right of exclusive legislation and concurrent jurisdiction together with the State of Michigan, over such land and the structures thereon, and shall hold the same exempt from all State, county, and municipal taxation." (Act of March 24, 1874. Compiled Laws, 1897, Vol. 1, p. 451.)

FORT BRADY.

This reservation contains about 73 acres, and is situated west of and adjoining the city of Sault Ste. Marie, in Chippewa County. The land was acquired under the provisions of an Act of Congress approved July 8, 1886. See G. O. No. 99, W. D., May 28, 1906. The title is as follows:

1. Deed from Thomas Ryan and wife, dated December 18, 1886, conveying 80 acres with exceptions. Recorded in Liber 19, page 340, of the deed records of Chippewa County.

2. Quitclaim deed from the city of Sault Ste. Marie, dated May 22, 1888, conveying certain streets, roads, etc. Recorded in Liber 17, page 581, of same records.

For jurisdiction see General Acts of Cession.

Revocable Licenses: License, September 7, 1900, to the town of Sault Ste. Marie to maintain a street across the northwest corner of the reservation.

License, March 9, 1906, to the Michigan State Telephone Company, for private telephone service.

TARGET RANGE (FORT BRADY).

This reservation contains 2,960 acres more or less. It was reserved and set apart for a rifle range and other military purposes in connection with the post of Fort Brady, by Executive Order, dated January 19, 1895.

For jurisdiction see General Acts of Cession.

LAKESIDE CEMETERY.

This burial ground contains about 12,000 square feet of ground. It is situated at Port Huron, in St. Clair County. The title is as follows:

Deed from the city of Port Huron, dated October 14, 1881, conveying Lots 144 to 159, inclusive. Recorded in the office of the City Clerk of Port Huron.

For jurisdiction see General Acts of Cession.

FORT MACKINAC.

This reservation originally contained about 2 square miles and is situated in the southeastern part of Mackinac Island in the straits of the same name. It was reduced by the survey establishing the national park on that island in 1875 to 103.4 acres.

Originally established by the British in 1780, it was ceded to the United States by treaty in 1795. In 1812 the fort was captured by the British and in 1814 the United States forces were defeated in an attempt to recapture it. In the spring of 1815 it was surrendered to the United States and continued to be occupied for military purposes practically the whole time until it was turned over to the State of Michigan for the purposes of a public park, under authority of Act of Congress, dated March 21, 1895 (28 Stats. L., 946). This Act provides that if the reservation should cease to be used for such purposes, or is used for any other purposes, it shall revert to the United States.

MACKINAC ISLAND NATIONAL PARK.

This reservation consists of so much of the island as was formerly held by the United States under military reservation or otherwise (excepting the Fort Mackinac and so much of the reservation thereof as bounds it to the south of the village of Mackinac, and to the west, north and east respectively by lines drawn north and south, east and west, at a distance from the flag pole of 400 yards).

Title was acquired by Treaty with Great Britain about 1795. The reservation, said to have been declared by the President, November 8, 1827, was set apart as a national public park for health, comfort and pleasure, for the benefit and enjoyment of the people, by Act of Congress approved March 3, 1875. (18 Stats. L., 517). It was turned over to the State of Michigan for the purposes of a public park, under authority of Act of Congress, dated March 21, 1895 (28 Stats. L., 946). This Act provides that if the reservation shall cease to be used for such purposes, or is used for any other purposes, it shall revert to the United States.

FORT WAYNE.

This reservation contains an area of about 65 acres with metes and bounds as announced in G. O. No. 99, W. D., May 28, 1906. It is situated on the Detroit River, in Wayne County, near the City of Detroit. The title is as follows:

1. Quit claim deed from Robert A. Forsyth and wife, dated June 3, 1842, conveying 23.36 acres. Recorded in Liber 21, folio 401, etc., of the deed records of Wayne County.

2. Deed from Benjamin B. Kercheval and wife, dated June 3, 1842, conveying 23.36 acres. Recorded in Liber 21, folio 402, etc., of same records.

3. Deed from William Dwight and wife, dated April 15, 1844, conveying 41.86 acres. Recorded in Liber 24, folio 394, etc., of same records.

4. Deed from Arthur J. Robertson, dated October 7, 1844, conveying 7.48 acres. Recorded in Liber 24, folio 394, etc., of same records.

In order to establish the western boundary of the reservation, the Secretary of War, under authority of Act of Congress, approved April 28, 1904 (33 Stats. L., 497), executed a quit-claim deed under date of September 1, 1904, to the Detroit Edison Company, relinquishing all claim to lands west of the line agreed upon; the Detroit Edison Company executing the following deed for all lands east of said line:

5. Quit claim Deed from the Detroit Edison Company, dated July 2, 1904. Recorded in Libro 587 of Deeds, page 414, of same records.

Jurisdiction was ceded to the United States by an act of the State legislature approved February 9, 1842, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of the State be, and the same is hereby ceded to the United States, over any tract of land, not exceeding two hundred acres, that may be purchased by the United States, for the purpose of erecting thereon a fortification for the defense of Detroit: *Provided*, That if in the execution of the work for which the said cession is made it should become necessary to vacate any road or highway now running through the said land, another road or highway of equal width, ranging as little as may be, consistent with the military object in view, from the present route of said road or highway, shall be opened and put in good condition for traveling, at the expense of the United States."

See also General Acts of Cession.

Revocable License: License, November 17, 1902, to the Detroit City Gas Company to lay and maintain its gas mains within the reservation.

MINNESOTA.

GENERAL ACT OF CESSION.

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of Minnesota is hereby given, in accordance with the seventeenth clause, eighth section of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation or otherwise, of any land in this state required for custom houses, court houses, post offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

"SECTION 2. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby ceded to the United States, for all purposes except the service of all civil and criminal process of the courts of this state, but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

"SECTION 3. The jurisdiction ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all state, county and municipal taxation, assessment, or other charges which may be levied or imposed under the authority of this state."

(Approved March 22, 1899. General Laws of Minn., 1899, p. 85, ch. 83.)

FORT SNELLING.

This reservation, originally called Fort St. Anthony, contains about 2,381.21 acres, situated on the crest of a bluff formed by the junction of the valleys of the Mississippi and Minnesota Rivers. The reservation was originally obtained by treaty with the Sioux Indians in 1805, ratified by the Senate in 1808. By Act of August 26, 1852, the reservation was defined and reduced. On May 25, 1853, the President set aside a reservation of 7,000 acres, which was reduced to 6,000 acres the November following. It was first garrisoned in 1822, and continued so until 1856. The reservation except two small tracts was sold June 6, 1857, to Franklin Steele, but payment not having been made according to terms of sale, and no conveyance having been made, the United States entered into possession and occupancy of the reservation, April 23, 1861. Pursuant to Act of May 7, 1870, a reservation of 1,531.21 acres was set apart and settlement was made with Mr. Steele by which he released all claims thereto in consideration of release of balance of purchase money and conveyance to him of remainder of original reservation.

An addition for Target Range was acquired by expropriation proceedings in the United States District court for the District of Minnesota, under decree of March 22, 1905; filed March 23, 1905, and recorded in Volume 9 of Term minutes of said Court at pages 134–136. The addition contains about 850 acres, exclusive of the "Bloomington Road to St. Paul." See G. O. No. 67, W. D., May 3, 1905.

For jurisdiction see General Act of Cession.

Easement: Act of Congress, approved June 20, 1878, provided for the building of a bridge across the Mississippi River to abut upon the reservation, and for a right of way across the reservation to said bridge.

The Chicago, Milwaukee and St. Paul Railway Company owns in fee a right of way through the reservation, which was acquired prior to Act of May 7, 1870.

Revocable License: Dated April 13, 1905, to The Minneapolis Street Railroad Company for an electric street railway.

ST. PAUL QUARTERMASTER AND COMMISSARY DEPOT.

This reservation contains an area of about 15,500 square feet of ground, and is situated in St. Paul proper, being Lot 3 and part of Lot 4 of Block 31. The property was acquired under an Act of Congress approved August 7, 1882, and the title is as follows:

Deed from the city of St. Paul, dated August 19, 1882, conveying Lot 3 and part of Lot 4 in Block 31, in St. Paul proper. Recorded in Book 111, pages 194 to 197, of the deed records of Ramsey County at St. Paul.

Jurisdiction was supposed to have been ceded to the United States by an act of the State Legislature approved February 26, 1883, but the cession was later declared by the Attorney General of the United States to be of no effect, and it was accordingly superseded by the Act of March 22, 1899, for which see General Act of Cession.

Revocable License: October 5, 1904, to Farwell, Ozman, Kirk & Co., for temporary excavation and extension of footings, at a depth of about twenty feet, over boundary, so much of the material as is placed in the soil of the United States to become the property of the United States.

MISSISSIPPI.

GENERAL ACT OF CESSION.

"SECTION 2395. The governor upon application made to him in writing on behalf of the United States for the purpose of acquiring and holding lands, or using any part of a public road of any county within the limits of this state for the purpose of making, building or constructing levees, canals or any other works in connection with the improvement of rivers and harbors, or as a site for a fort, magazine, arsenal, dock yard, court house, custom house, light house, post office, or other needful building, or for the purpose of locating and maintaining national military parks, or for any other public works or purposes, accompanied by proper evidence of the purchase of such lands, or the consent of the board of supervisors of the proper county for such public roads to be used for said purpose, is authorized for the state to cede jurisdiction thereof to the United States for the purpose of the cession and none other." (Section 2395, Annotated Code of Mississippi, 1906, embodying section 2178 of Code of 1892, as amended in 1894, in 1896, and by Chapter 67, Acts of 1900.)

2396. The concession of jurisdiction to the United States over any part of the territory of the state, heretofore or hereafter made, shall not prevent the execution on such land of any process, civil or criminal, under the authority of this state, nor prevent the laws of this state from operating over such land; saving to the United States security to its property within the limits of the jurisdiction ceded, and exemption of the same, and of such land from taxation under the authority of this state during the continuance of the cession. (Section 2396, *idem*, embodying section 2179, of Code of 1892.)

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CORINTH NATIONAL CEMETERY.

This reservation contains an area of 20 acres, and is situated at Corinth, in Alcorn County. The title is as follows:

1. Deed from Calvin F. Vance and wife, et al., dated February 1, 1868, conveying 20 acres of land, by metes and bounds, being a portion of Secton 12, Township 2, of Range 7 East, etc. Recorded in Deed Book B B, page 351, etc., of the deed records of Tishomingo County.

2. Deed from M. A. Mitchell, dated October 15, 1888, conveying land for right of way. Recorded in Book 12, page 490, of the deed Records of Alcorn County.

3. Deed from the City of Corinth, dated January 7, 1889, conveying right of way, etc. Recorded in Book 12, page 560, of same records.

Jurisdiction over this cemetery was ceded to the United States by the following act of the State Legislature, approved February 12, 1875:

"SECTION 1. *Be it enacted, etc.*, That exclusive jurisdiction be, and hereby is, given to the United States to and over the following tracts of land and appurtenances thereunto belonging, now used and occupied as National Cemeteries in this State, to wit: All of a tract or parcel of land situated near the city of Natchez, in the county of Adams, inclosed by a brick wall, and known as the Natchez National Cemetery; also, all of a tract or parcel of land situated on the banks of the Mississippi river, near the city of Vicksburg, in the county of Warren; said tract embraces not only all that is now enclosed by a brick wall, but also a strip lying between the southwest side of said wall and the Mississippi river, now owned by the United States and occupied for purposes aforesaid, and known as the Vicksburg National Cemetery; also, another certain tract of land, situated near the city of Corinth, in the county of Alcorn, consisting of twenty acres (more or less), and known as the Corinth National Cemetery; the legal title to said several parcels of land being now in the United States for purposes aforesaid.

"SEC. 2. *Be it further enacted*, That the jurisdiction hereby ceded to the United States shall extend to the premises aforesaid, and all improvements that are, or may be made thereon by the United States, shall continue so long as said lands shall be used for the purpose aforesaid, the same to be free and exempt from any and all taxes or assessments under any law of this State, or municipal authority thereof, nor shall they be subject to levy and sale by any process known to the laws of this State."

NATCHEZ NATIONAL CEMETERY.

This reservation contains an area of 11.07 acres, and is situated at Natchez, in Adams County. The title is as follows:

1. Deed from Margaret Case, et al., dated January 31, 1867, conveying 11.07 acres. Recorded in Book O O, page 408, etc., of the deed records of Adams County.

2. Deed from the City of Natchez, dated October 11, 1886, conveying rights of way, etc. Recorded in Book 3 A, page 398, etc., of same records.

For Jurisdiction see Corinth National Cemetery.

SHIP ISLAND.

This reservation includes that part of Ship Island not reserved for light house purposes, and is situated in the Gulf of Mexico, near the coast of Mississippi, about 14 miles from Biloxi. The title is as follows:

As a part of the public domain the whole island was reserved for military purposes by Executive Order dated August 30, 1847; but by Executive Order of July 7, 1852, 50 acres at the extreme western end of the island (including Fort Massachusetts) were set apart for light-house purposes.

Jurisdiction was ceded by an act of the State Legislature approved November 15, 1858, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, For the purpose of enabling the United States to carry into effect an Act of Congress of March 3, 1857, providing for the fortification of Ship Island, Coast of Mississippi, by building and maintaining such forts, magazines, arsenals, dockyards, wharves, and other structures, with their appendages, as may be necessary for the object aforesaid, jurisdiction is hereby ceded to the United States over the said Ship Island, in the Gulf of Mexico, Coast of Mississippi, to include all of said Island above and within low-water mark, and over all the contiguous shores, flats, and waters within seventeen hundred and sixty yards from low-water mark, and all right, title, and claim which this State may have in or to the said Ship Island, Coast of Mississippi, are hereby granted to the United States: *Provided*, That this State shall retain a concurrent jurisdiction with the United States in and over all the premises aforesaid so far that all civil process and such criminal process as may issue under the authority of this State against any person or persons charged with crimes committed without the premises aforesaid may be executed therein in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The premises over which jurisdiction is granted by this act and all structures and other property thereon shall be exonerated and discharged from all taxes and assessments which may be laid or imposed under the authority of this State while said premises shall remain the property of the United States and shall be used for the purposes intended by this act."

Revocable Licenses: License, February 28, 1880, to the National Board of Health to occupy a portion of the reservation.

License, May 3, 1880, to the National Board of Health to occupy a portion of the ground south of the lagoon for the care of passengers not sick but removed from an infected ship.

License, January 31, 1881, to the Treasury Department to occupy vacant building for the collector of customs.

License, September 6, 1893, to the Treasury Department to occupy the "Old Griffin Building" for the deputy collector of customs.

License, May 26, 1900, to A. Murdock to sink and maintain an artesian well on the reservation.

License, September 26, 1900, to A. Murdock to erect a keeper's house on the reservation.

VICKSBURG NATIONAL CEMETERY.

This reservation contains an area of 40 acres and a Cemetery Roadway, and is situated at Vicksburg, in Warren County. The title is as follows:

1. Deed from Alvey H. Jaynes and wife, dated August 27, 1866, conveying 40 acres.

2. Deed from the County of Warren, dated August 10, 1880, conveying right of way from the City of Vicksburg to the Cemetery. Recorded in Book Y Y, page 433, etc., of the deed records of Warren County.

3. Deed from Mary A. Wyman, dated September 1, 1887, conveying a right of way. Recorded in Book No. 64, page 393, etc., of same records.

4. Deed from William M. Vogleson, dated September 7, 1887, conveying a right of way. Recorded in Book No. 64, page 392, etc., of same records.

5. Deed from John B. Mattingly, dated September 7, 1887, conveying a right of way. Recorded in Book No. 65, page 139, etc., of same records.

6. Deed from George M. M. Linn, dated September 26, 1887, conveying a right of way. Recorded in Book No. 65, page 140, etc., of same records.

7. Deed from Heirs of A. H. Arthur, dated January 10, 1888, conveying a right of way. Recorded in Book No. 65, page 141, etc., of same records.

8. Deed from Thomas Rigeley, dated May 4, 1888, conveying a right of way. Recorded in Book No. 65, page 143, of same records.

9. Condemnation of property for right of way by Board of Supervisors, *v.* J. O. Linn for a right of way to cemetery, etc. Recorded in Deed Book No. 54, page 225, etc., of same records.

The roadway described in the foregoing deeds was acquired through the Board of Supervisors of Warren County, who derived their authority under an Act of the State Legislature approved March 2, 1880.

For Jurisdiction see Corinth National Cemetery.

VICKSBURG NATIONAL MILITARY PARK.

This reservation, containing 1,255.07 acres, situate in Warren County, was acquired pursuant to Act of Congress approved February 21, 1899, for the purpose of commemorating the campaign and siege and defense of Vicksburg. The title is as follows:

1. Deed from Katherine Ruffin, dated October 18, 1899, conveying 5.6 acres. Recorded in Book 92, page 176, of the records of Warren County.

2. Deed from Simpy Gadson, dated October 18, 1899, conveying 2 acres. Recorded in Book 92, page 178, of same records.

3. Deed from Sarah J. Mosby, et al., dated October 20, 1899, conveying 5.6 acres. Recorded in Book 92, page 177, of same records.

4. Deed from John B. Reid, et al., dated October 24, 1899, conveying 7.9 acres. Recorded in Book 92, page 179, of same records.

5. Deed from Henry L. Mayer, dated October 26, 1899, conveying 4.5 acres. Recorded in Book 92, page 188, of same records.

6. Deed from Jeff Turner and wife, dated October 27, 1899, conveying 0.1 acre. Recorded in Book 92, page 202 et seq., of same records.

7. Deed from W. A. Cleaver and wife, dated November 2, 1899, conveying 0.2 acre. Recorded in Book 92, page 181, of same records.

8. Deed from Emma E. Barstow and husband, dated November 3, 1899, conveying 7.3 acres. Recorded in Book 92, page 175, of same records.

9. Deed from Marcia A. Hanley and husband, dated November 7, 1899, conveying 33.6 acres. Recorded in Book 92, page 182, of same records.

10. Deed from Martha A. Pinkston, dated November 8, 1899, conveying 13.3 acres with certain reservations. Recorded in Book 92, page 189, et seq., of same records.

11. Deed from M. E. R. Hughes, et al., dated November 10, 1899, conveying 2.8 acres. Recorded in Book 92, page 180, of same records.

12. Deed from Casimir Tag, dated November 10, 1899, conveying 23 acres. Recorded in Book 92, page 185, of same records.

13. Deed from Lewis Johnson and wife, dated November 11, 1899, conveying 3.8 acres. Recorded in Book 92, page 187, et seq., of same records.

14. Deed from Richard Coleman and wife, dated November 11, 1899, conveying 5.3 acres. Recorded in Book 92, page 190, et seq., of same records.

15. Deed from John Kennare et al., dated November 13, 1899, conveying 16.2 acres with certain reservations. Recorded in Book 92, page 183 of same records.

16. Deed from James H. Hill, dated November 14, 1899, conveying .05 acre. Recorded in Book 92, page 249, et seq., of same records.

17. Deed from William J. Henry, dated November 14, 1899, conveying 6.3 acres. Recorded in Book 93, page 199, et seq., of same records.

18. Deed from George Just, dated November 16, 1899, conveying 132 acres with certain reservations. Recorded in Book 92, page 199, et seq., of same records.

19. Deed from Charles O'Connor, dated November 16, 1899, conveying 3.7 acres. Recorded in Book 92, page 201, et seq., of same records.

20. Deed from Mary Shaw, dated November 16, 1899, conveying 1 acre. Recorded in Book 92, page 201, of same records.

21. Deed from S. Sorsby Booth, et al., dated November 17, 1899, conveying 51.6 acres. Recorded in Book 92, page 243, et seq., of same records.

22. Deed from J. G. Tichenor, dated November 20, 1899, conveying 1 acre. Recorded in Book 92, page 239, of same records.

23. Deed from John Coleman, dated November 21, 1899, conveying 2 acres, with certain reservations. Recorded in Book 92, page 237, of same records.

24. Deed from Jos. N. Ring, et al., dated November 21, 1899, conveying 32.2 acres, with certain reservations. Recorded in Book 92, page 238, of same records.

25. Deed from Marcella H. Smith, dated December 11, 1899, conveying 52.8 acres. Recorded in Book 93, page 202, et seq., of same records.

26. Deed from Francis C. Abbott, dated December 13, 1899, conveying 29.8 acres with certain reservations. Recorded in Book 92, page 251, of same records.

27. Deed from John B. Smith, dated December 13, 1899, conveying 18 acres. Recorded in Book 93, page 203, et seq., of same records.

28. Deed from Maggie D. Monroe, et al., dated December 13, 1899, conveying 28.3 acres. Recorded in Book 93, page 252, et seq., of same records.

29. Deed from Maggie D. Monroe, dated December 13, 1899, conveying 29.5 acres. Recorded in Book 92, page 254, et seq., of same records.

30. Deed from Chas. B. Galloway, dated December 15, 1899, conveying 48.3 acres. Recorded in Book 92, page 240, et seq., of same records.

31. Deed from Elizabeth L. Cook and husband, dated December 16, 1899, conveying 3.1 acres. Recorded in Book 93, page 201, et seq., of same records.

32. Deed from Sarah Middleton, dated December 16, 1899, conveying 7.3 acres. Recorded in Book 93, page 267, of same records.

33. Deed from Robert Walton and wife, dated December 21, 1899, conveying 29.2 acres with certain reservations. Recorded in Book 92, page 255, et seq., of same records.

34. Deed from Alice Eaton, dated December 23, 1899, conveying 60.7 acres with certain reservations. Recorded in Book 92, page 247, et seq., of same records.

35. Deed from Elizabeth Hebron and husband, dated December 25, 1899, conveying 6.4 acres. Recorded in Book 93, page 259, et seq., of same records.

36. Deed from J. G. Ferguson, dated December 26, 1899, conveying 30.8 acres. Recorded in Book 92, page 256, of same records.

37. Deed from J. Dornbusch, dated December 26, 1899, conveying 2.3 acres. Recorded in Book 92, page 262, of same records.

38. Deed from Helen J. King and husband, et al., dated December 27, 1899, conveying 27.8 acres. Recorded in Book 93, page 197, et seq., of same records.

39. Deed from Matilda Glover, et al., dated December 27, 1899, conveying 1.2 acres. Recorded in Book 93, page 251, et seq., of same records.

40. Deed from Eva B. Brabston, dated December 30, 1899, conveying 0.4 acre. Recorded in Book 92, page 242, of same records.

41. Deed from W. A. Thomas, et al., dated January 2, 1900, conveying 33.3 acres with certain reservations. Recorded in Book 93, page 250, et seq., of same records.

42. Decree of condemnation for 4.7 acres in case No. 137, The United States *v.* Olive R. Smeldes et al., in the Circuit Court of the United States, for the Western Division of the Southern District of Mississippi. Rendered January 3, 1900, and recorded in Book 92, page 272, of same records.

43. Decree of condemnation for 29.6 acres, in case 141, The United States *v.* Mattie Shewalter et al., in the Circuit Court of the United States, for the Western Division of the Southern District of Mississippi. Rendered January 3, 1900, and recorded in Book 92, page 282, of same records.

44. Decree of Condemnation for 3.4 acres, in case 143, The United States *v.* Charles Reynolds et al., in the Circuit Court of the United States for the Western Division of the Southern District of Mississippi. Rendered January 3, 1900, and recorded in Book 92, page 295, of same records.

45. Decree of Condemnation for 1.8 acres, in case 138, The United States *v.* Emma A. Lanier et al., in the Circuit Court of the United States for the Western Division of the Southern District of Mississippi. Rendered January 5, 1900 and recorded in Book 92, page 265, of same records.

46. Decree of condemnation for 11.4 acres, in case 142, The United States *v.* Clara Klineman, in the Circuit Court of the United States for the Western Division of the Southern District of Mississippi. Rendered January 5, 1900, and recorded in Book 92, page 288, of same records.

47. Decree of Condemnation for 25.7 acres, in case 139, The United States *v.* W. V. Logan et al., in the Circuit Court of the United States for the Western Division of the Southern District of Mississippi. Rendered January 5, 1900, and recorded in Book 92, page 283, of same records.

48. Deed from the Refuge Oil Mill Company, dated January 15, 1900, conveying 1.3 acres. Recorded in Book 92, page 248, et seq., of same records.

49. Deed from F. M. Loque, Jr., and wife, dated January 15, 1900, conveying 41.2 acres. Recorded in Book 93, page 354, et seq., of same records.

50. Deed from the Congregation Anshe Chesed, dated January 23, 1900, conveying 19.5 acres with certain reservations. Recorded in Book 92, page 261, of same records.

51. Deed from Thomasene H. Woolsey, et al., dated January 24, 1900, conveying 3.7 acres. Recorded in Book 93, page 268, et seq., of same records.

52. Deed from Vicksburg Tabernacle Number 19, dated January 29, 1900, conveying 80.1 acres. Recorded in Book 93, page 293, of same records.

53. Deed from S. V. Strong, dated February 19, 1900, conveying 2 acres with certain reservations. Recorded in Book 93, page 334, of same records.

54. Deed from T. H. Cook and wife, dated April 12, 1900, conveying 61.2 acres. Recorded in Book 93, page 332 of same records.

55. Deed from Martha Giles and husband, dated April 14, 1900, conveying 8.1 acres. Recorded in Book 92, page 346, et seq., of same records.

56. Deed from Emma Barstow, dated April 23, 1900, conveying 1.9 acres. Recorded in Book 92, page 347, of same records.

57. Deed from Louis Hunt, dated April 25, 1900, conveying 1.1 acres. Record in Book 93, page, of same records.

58. Deed from C. A. Williams, et al., dated May 8, 1900, conveying 0.2 acre. Recorded in Book 92, page 349, et seq., of same records.

59. Deed from Fred Buckel, dated July 2, 1900, conveying 2.6 acres with certain reservations. Recorded in Book 92, page 348, of same records.

60. Deed from T. J. Hossley, et al., dated July 3, 1900, conveying 4.6 acres. Recorded in Book 96, page 89, of same records.

61. Deed from Lewis Johnson and wife, dated July 16, 1900, conveying 4.1 acres. Recorded in Book 92, page 491, of same records.

62. Deed from Alex Terrell and wife, dated July 26, 1900, conveying 3.4 acres. Recorded in Book 95, page 65, of same records.

63. Deed from Eva B. Brabston, dated July 26, 1900, conveying 15.6 acres. Recorded in Book 96, page 91, of same records.

64. Deed from Mary A. B. Rigby, dated July 28, 1900, conveying 0.1 acre. Recorded in Book 96, page 70, of same records.

65. Deed from Emma E. Barstow, dated July 28, 1900, conveying 5.54 acres. Recorded in Book 96, page 15, et seq., of same records.

66. Deed from Emma E. Barstow, et al., dated July 31, 1900, conveying 1.8 acres. Recorded in Book 95, page 85, et seq., of same records.

67. Deed from Belle C. Smith and husband, dated August 1, 1900, conveying 33.1 acres. Recorded in Book 95, page 77, et seq., of same records.

68. Deed from Charlie Jones and wife, dated August 2, 1900, conveying .01 acre. Recorded in Book 95, page 76, of same records.

69. Deed from Maggie Murphy and husband, dated August 2, 1900, conveying .02 acre. Recorded in Book 95, page 88, et seq., of same records.

70. Deed from Eliza McClelland and husband, dated August 2, 1900, conveying .01 acre. Recorded in Book 95, page 89, of same records.

71. Deed from Louvinia Ernest and husband, dated August 2, 1900, conveying 0.1 acre. Recorded in Book 95, page 90, of same records.

72. Deed from Vinie Bowie and husband, dated August 2, 1900, conveying .01 acre. Recorded in Book 95, page 90, of same records.

73. Deed from Frances McClelland, dated August 2, 1900, conveying .02 acre. Recorded in Book 95, page 92, of same records.

74. Deed from Malinda Henry and husband, dated August 2, 1900, conveying .05 acre. Recorded in Book 95, page 93, et seq., of same records.

75. Deed from Lucy Gaines, dated August 2, 1900, conveying 0.01 acre. Recorded in Book 96, page 74, of same records.

76. Deed from William Green and wife, dated August 2, 1900, conveying 0.7 acre. Recorded in Book 96, page 79, of same records.

77. Deed from Minerva Jones and husband, dated August 2, 1900, conveying 0.06 acre. Recorded in Book 96, page 80 et seq., of same records.

78. Deed from Ophelia McGee, dated August 3, 1900, conveying 5.2 acres. Recorded in Book 95, page 75, et seq., of same records.

79. Deed from William Murphy, dated August 3, 1900, conveying 4.9 acres. Recorded in Book 95, page 83 et seq., of same records.

80. Deed from Peter Walton, et al., dated August 3, 1900, conveying 1.6 acres. Recorded in Book 96, page 94, et seq., of same records.

81. Deed from Mary Hughes, et al., dated August 4, 1900, conveying 4.71 acres. Recorded in Book 95, page 69, of same records.

82. Deed from Laura J. Mackey and husband, dated August 4, 1900, conveying 2.2 acres. Recorded in Book 95, page 82, et seq., of same records.

83. Deed from Dick Thompson and wife, dated August 4, 1900, conveying 0.01 acre. Recorded in Book 95, page 91, of same records.

84. Deed from Maggie D. Monroe, dated August 4, 1900, conveying 0.4 acre. Recorded in Book 96, page 17 of same records.

85. Deed from M. J. Hennessey, dated August 5, 1900, conveying 0.04 acre. Recorded in Book 95, page 84, et seq., of same records.

86. Deed from John White, dated August 7, 1900, conveying 0.1 acre. Recorded in Book 96, page 72, of same records.

87. Deed from Dick Thompson and wife, dated August 8, 1900, conveying 0.1 acre. Recorded in Book 96, page 68, et seq., of same records.

88. Deed from Julia G. Lee, dated August 8, 1900, conveying 1.6 acres. Recorded in Book 96, page 69, of same records.

89. Deed from Robert Countryman, dated August 11, 1900, conveying 1.6 acres. Recorded in Book 96, page 101, of same records.

90. Deed from Jane Currie, et al., dated August 11, 1900, conveying 1.6 acres. Recorded in Book 96, page 102, et seq., of same records.

91. Deed from Henry Lee, dated August 15, 1900, conveying 0.5 acre. Recorded in Book 96, page 71, of same records.

92. Deed from Lewis A. Moss, dated August 15, 1900, conveying .25 acre. Recorded in Book 95, page 80, et seq., of same records.

93. Deed from Isadora Countryman, dated August 15, 1900, conveying 1.3 acres. Recorded in Book 96, page 101, of same records.

94. Deed from Katherine Ruffin, dated August 16, 1900, conveying 1.9 acres. Recorded in Book 95, page 66, of same records.

95. Deed from Jas. H. Walsh, dated August 17, 1900, conveying 2.3 acres. Recorded in Book 96, page 67, of same records.

96. Deed from Jenny Henry, dated August 17, 1900, conveying 6.3 acres. Recorded in Book 96, page 73, of same records.

97. Deed from Ann E. Cotton, dated August 17, 1900, conveying 0.8 acre. Recorded in Book 96, page 78, of same records.

98. Deed from Lettie M. Wilson, dated August 18, 1900, conveying 7 acres. Recorded in Book 96, page 97, of same records.

99. Deed from Annie Rickson, dated August 21, 1900, conveying 0.1 acre. Recorded in Book 95, page 81, et seq., of same records.

100. Deed from H. M. Osborn, dated August 22, 1900, conveying .02 acre. Recorded in Book 95, page 87, et seq., of same records.

101. Deed from Archie Quitman, dated September 5, 1900, conveying .02 acre.

102. Deed from Chas. B. Galloway, dated September 7, 1900, conveying 0.9 acre. Recorded in Book 96, page 81, of same records.

103. Deed from the Supervisors of Warren County, dated September 12, 1900, conveying 0.3 acre. Recorded in Book 95, page 68, of same records.

104. Deed from Amanda A. Vogleson, et al., dated October 16, 1900, conveying 3.5 acres. Recorded in Book 96, page 504, of same records.

105. Deed from J. S. Tate, dated December 15, 1900, conveying .02 acre. Recorded in Book 96, page 104, et seq., of same records.

106. Deed from Casimir Tag, dated December 28, 1900, conveying 2 acres. Recorded in Book 96, page 95, et seq., of same records.

107. Deed from Thomasene H. Woolsey, et al., dated January 8, 1901, conveying 4.9 acres. Recorded in Book 95, page 101, et seq., of same records.

108. Decree of condemnation for 5.9 acres, in case The United State *v.* James C. Wright, in the Circuit and District Court of the United States for the Southern District of Mississippi. Rendered in the January term, 1901, and recorded in Book 95, page 200, of same records.

109. Decree of condemnation for 0.2 acre, in case The United States *v.* Lillie Hodge, in the Circuit and District Court of the United States for the Southern District of Mississippi. Rendered in the January term, 1901, and recorded in Book 96, page 502, of same records.

110. Deed from Henry L. Mayer, dated February 21, 1901, conveying 1.2 acres. Recorded in Book 95, page 115, of same records.

111. Deed from W. J. Buell, dated March 13, 1901, conveying .02 acre. Recorded in Book 96, page 503, of same records.

112. Deed from W. A. Claver and wife, dated October 1, 1902, conveying .06 acre. Recorded in Book 99, page 409, et seq., of same records.

113. Deed from J. W. King, et al., dated January 14, 1903, conveying 5.02 acres. Recorded in Book 101, page 282, of same records.

114. Deed from Mrs. Sarah J. Mosby, et al., dated October 17, 1903, conveying two tracts aggregating 16.63 acres. Recorded in Book 100, page 398, of same records.

Jurisdiction over all the above tract was ceded by 3 proclamations of the Governor of Mississippi, dated June 28, 1901, September 23, 1903, and one without date. For authority for proclamation see "General Act of Cession."

115. Deed from Jennie Henry, dated July 1904, conveying 1.29 acres. Recorded in Book 103, page 154, of same records.

116. Deed from Vicksburg Battlefield Commission of Pennsylvania, dated March 17, 1905, conveying 2.59 acres, for Pennsylvania memorial. Recorded in Book 107, page 21 et seq., of same records.

117. Deed from Katharine Ruffin, dated November 23, 1905, conveying 0.72 acre, more or less. Recorded in Book 107, page 178, of same records.

118. Deed from F. M. Logue, dated November 25, 1905, conveying 9.46 acres, more or less. Recorded in Book 107, page 221 et seq., of same records.

119. Deed from W. H. McGee, et al., dated July 16, 1904, conveying 17.9 acres. Recorded in Book 109, page 94 of same records.

120. Deed from F. M. Logue, dated August 9, 1906, conveying two parcels of land, aggregating 5.23 acres. Recorded in Book 109, page 144, of same records.

Juridiction over tract 114, ante, and tracts 115 and 116, ante, ceded by Governor's deed of June 30, 1905; and jurisdiction over the Old Yazoo City public road (now known as Road No. 81), ex-

tending from the point on said road where Confederate Avenue begins to the north end of the bridge over Glass' Bayou, as specified in resolution of the Board of Supervisors of Warren County, adopted December 6, 1905, which resolution authorized the United States to enter upon and use the same for purposes of the Park, ceded by Governor's deed of January 18, 1906. Jurisdiction over this road from its junction with Confederate Avenue to its junction with Union Avenue, as authorized to be occupied by resolution of said Board of Supervisors, adopted December 5, 1906, ceded by Governor's deed of January 23, 1907. (See General Act of Cession for authority for these deeds.)

MISSOURI.

ARCADIA TARGET RANGE.

This reservation contains an area of 1,275 acres, and is situated about 2½ miles from the railroad station at Arcadia, in Iron County, and about 80 miles from Jefferson Barracks. See G. O. No. 66, A. G. O., April 11, 1899.

The title is as follows:

1. Deed from H. R. Holland, dated December 23, 1895, conveying 80 acres. Recorded in Book 40, page 603, of the records of Iron County.

2. Guardian's Deed from H. R. Holland, Guardian, etc., dated May 16, 1898, conveying same tract. Recorded in Book 42, page 563, of same records.

3. Deed from Franklin Sutton and wife, et al., dated December 23, 1895, conveying 80 acres. Recorded in Book 40, page 597, of same records.

4. Deed from John Walter and wife, dated December 23, 1895, conveying 160 acres. Recorded in Book 40, page 607, of same records.

5. Deed from Walter H. Fisher and wife, et al., dated December 23, 1895, conveying 156 acres. Recorded in Book 40, page 604, of same records.

6. Deed from Azariah Martin and wife, dated December 23, 1895, conveying 46 acres. Recorded in Book 40, page 605, of same records.

7. Deed from Elizabeth D. Sutton, et al., dated December 30, 1895, conveying 90 acres. Recorded in Book 40, page 598, of same records.

8. Guardian's Deeds (four in number) from W. T. Gray, Curator etc., dated March 8, 1898, conveying same tract. Recorded in Book 42, pages 568, 570 to 574, of same records.

9. Deed from Achillis K. Sutton and wife, dated January 13, 1896, conveying 80 acres. Recorded in Book 40, page 594, of same records.

10. Deed from Francis Dike and wife, dated February 1, 1896, conveying 80 acres. Recorded in Book 42, page 575, etc., of same records.

11. Deed from Malinda Bird, dated April 2, 1896, conveying 20 acres. Recorded in Book 40, page 601, of same records.

12. Guardian's Deed from W. T. Gray, Curator, etc., dated March 10, 1898, conveying same tract. Recorded in Book 42, page 561, of same records.

13. Deed from Henry Hutchens, dated January 28, 1898, conveying 23 acres. Recorded in Book 40, page 606, of same records.

14. Deed from I. G. Whitworth, dated January 31, 1898, conveying 40 acres. Recorded in Book 40, page 596, of same records.

15. Deed from Wm. Henson and wife, dated March 10, 1898, conveying 80 acres. Recorded in Book 40, page 600, of same records.

16. Deed from J. W. Emerson and wife, dated March 10, 1898, conveying 50 acres. Recorded in Book 42, page 559, of same records.

17. Deed from James Dixon, dated March 17, 1898, conveying 80 acres. Recorded in Book 40, page 595, of same records.

18. Deed from William Henson and wife, dated March 28, 1898, conveying 10 acres. Recorded in Book 40, page 602, of same records.

19. Deed from Franklin Sutton and wife, et al., dated March 28, 1898, conveying 40 acres. Recorded in Book 40, page 599, of same records.

20. Deed from Lillie E. Barnes and husband, dated June 9, 1898, conveying 80 acres. Recorded in Book 40, page 608, of same records.

21. Executive Order, dated September 19, 1898, reserving from sale and setting apart 120 acres.

JEFFERSON BARRACKS.

This reservation contains an area of 1,260.91 acres, and is situated in South St. Louis on the Mississippi River, 10 miles from St. Louis, in St. Louis County. The title is as follows:

1. Deed from the inhabitants of Carondelet, dated July 8, 1826, conveying part of "Carondelet Common." Recorded in Book N, page 113, of the deed records of St. Louis County.

2. Quit claim deed from the City of Carondelet, dated October 25, 1854, conveying by metes and bounds a portion of the Common of said city, containing 1,702 acres, more or less. Recorded in Book 160, page 130, of same records.

3. Quit claim Deed from Charles Blank, et al., dated July 17, 1890, conveying 0.7 acre, etc. Recorded in Book 49, page 54 of same records.

The area as originally acquired was reduced by Act of Congress, approved July 23, 1894, to the present area. The reservation includes the St. Louis Powder Depot and the Jefferson Barracks National Cemetery.

Jurisdiction was ceded to the United States by an Act of the State Legislature, approved March 18, 1892, which provides as follows:

"SECTION 1. That exclusive jurisdiction be, and the same is hereby, ceded to the United States over and within all the territory owned by the United States and included within the limits of the military post and reservation of Jefferson Barracks, in St. Louis county, in this state; saving, however, to the said state the right to serve civil or criminal process within said reservation in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said state outside of said cession and reservation; and saving further to said state the right to tax and regulate railroad, bridge, and other corporations, their franchises and property on said reservation. In the event, or whenever Jefferson Barracks shall cease to be used by the federal government as a military post, the jurisdiction ceded herein shall revert to the state of Missouri."

Easement: Act of Congress, approved February 14, 1853, granted a right of way to the St. Louis and Iron Mountain Railroad through the grounds of the St. Louis Arsenal and Jefferson Barracks; this act was amended by Act approved July 14, 1856. Act approved July 25, 1868, provides for the sale of the St. Louis Arsenal grounds, etc., and Act approved March 3, 1869, amending the same, contains a proviso that no part of the six acres granted to the city of St. Louis for a public park etc., shall be selected east of the western line of the ground occupied by the St. Louis and Iron Mountain Railroad.

Revocable Licenses: License, December 21, 1895, to Southern Electric Railroad Company to construct, maintain and operate an electric railway on the reservation.

License, April 21, 1906, to The Kinlock Telephone Co. for telephone line.

JEFFERSON CITY NATIONAL CEMETERY.

This reservation contains an area of 2 acres, and is situated at Jefferson City, in Cole County. The title is as follows:

Deed from Israel B. Read and wife, dated December 7, 1867, conveying 2 acres. Recorded in Book A, page 462, etc., of the deed records of Cole County.

SPRINGFIELD NATIONAL CEMETERY.

This reservation contains an area of 5 acres and a roadway, and is situated about 4 miles from the City of Springfield, in Greene County. The title is as follows:

1. Deed from the City of Springfield, dated August 16, 1867, conveying 5 acres. Recorded in Book S, page 294, of the deed records of Greene County.
2. Quitclaim deed from N. F. Cheaers, et al., dated June 2, 1868, conveying the same tract. Recorded in Book S, page 342, of same records.
3. Deed from John S. Phelps, dated May 22, 1885, conveying a roadway. Recorded in Book 59, page 418, of same records.
4. Deed from Jestion Potter, dated ——, 1885, conveying a roadway. Recorded in Book 59, page 419, of same records.
5. Deed from Edward J. Cox, dated May 21, 1885, conveying a roadway. Recorded in Book 59, page 420, of same records.
6. Deed from William G. Evans and wife, dated May 21, 1885, conveying a roadway. Recorded in Book 61, page 58, of same records.
7. Deed from George A. C. Woolley and wife, dated May 21, 1885, conveying a roadway. Recorded in Book 61, page 57, of same records.
8. Deed from E. E. Colby, Special Commissioner, etc., dated September 27, 1897, conveying a tract of land for the extension of "Phelp's Boulevard." Recorded in Book 169, page 47, of same records.

ST. LOUIS CLOTHING DEPOT.

This reservation contains about 25 acres, and is situated in the City of St. Louis, on the Missouri River. The title is as follows:

1. Deed from A. Chenie and wife, dated August 3, 1827, conveying 13 arpents of land. Recorded in Book N, page 486 of the deed records of St. Louis County.

2. Deed from Arend Rutgers and wife, dated August 3, 1827, conveying 31 arpents of land. Recorded in Book N, page 482, of same records.

Under Acts of Congress, approved July 28, 1868 (15 Stat. L., 187), and March 3, 1869 (15 Stat. L., 339), and Joint Res. of July 11, 1870 (16 Stat. L., 386), a portion of the lands was granted to the city as a site for a monument to Nathaniel Lyon and the extension of Second street, separating said site from the lands retained was authorized.

Easement. See Jefferson Barracks, "Easement," *ante.*

Revocable License: August 3, 1904, to the Anheuser-Busch Brewing Association, under Joint Resolution, approved April 28, 1904, to occupy and use for railroad purposes a 40-foot right of way, along the right of way of the St. Louis, Iron Mountain and Southern Railway Company, through the extreme eastern limits of the reservation, and also a small triangular area in the southeast corner of the premises.

ST. LOUIS POWDER DEPOT.

A part of the Jefferson Barracks reservation containing 385 acres. For title and jurisdiction see Jefferson Barracks.

MONTANA.

GENERAL ACT OF CESSION.

"SECTION 1. That pursuant to Article I, section 8, paragraph 17, of the Constitution of the United States, consent to purchase is hereby given and exclusive jurisdiction ceded to the United States over and with respect to all lands within the State which are or may be embraced within the Yellowstone National Park, together with all such lands as are now or may hereafter be occupied and held by the United States for military purposes either as additions to the military posts over which jurisdiction is ceded by the Constitution of Montana, or as new or other posts or reservations established within the State for the common defense, reserving, however, to this State a concurrent jurisdiction for the execution upon said lands or in the buildings erected thereon of all process, civil or criminal, lawfully issued by the courts of the State and not incompatible with this cession." (Approved February 14, 1891. Laws of Mont., 1891, p. 262. See, also, Political Code of Montana, 1905, sections 41 to 43, inclusive.)

FORT ASSINNIBOINE.

The present area of this reservation is about 220,000 acres. The Post was established May 19, 1879, under authority of an Act of Congress approved June 18, 1878, and lies within the limits of Choteau County. As a part of the public domain the reservation was declared by Executive Order dated March 4, 1880, and re-declared June 16, 1881. A new reservation, with the addition of Hay and Coal Field reserves, was declared May 2, 1888, making a total of about 704,000 acres reserved. This area was reduced October 9, 1891, by transferring the Hay and Coal Field reserves to the Interior Department.

Jurisdiction was ceded to the United States by Article II of the Constitution of the State, which provides as follows:

"SECTION 1. Authority is hereby granted to and acknowledged in the United States to exercise exclusive legislation as provided by the Constitution of the United States, over the military Reservations of Fort Assiniboine, Fort Custer, Fort Keogh, Fort Maginnis, Fort Missoula, and Fort Shaw, as now established by law, so long as said places remain military reservations, to the same extent and with the same effect as if said reservations had been purchased by the United States by consent of the Legislative Assembly of the State of Montana; and the Legislative Assembly is authorized and directed to enact any law necessary or proper to give effect to this article.

"*Provided*, That there be, and is hereby, reserved to the State the right to serve all legal process of the State, both civil and criminal, upon persons and property found within any of said reservations in all cases where the United States has not exclusive jurisdiction."

See also General Act of Cession.

Easements: A right of way, subject to the approval of the Secretary of War, was granted to the St. Paul, Minneapolis and Manitoba (now Great Northern) Railway Company, by Act of Congress, approved February 15, 1887. Definite location approved by Secretary of War, June 6, 1887; said right of way to be 75 feet each side of center line of railroad, with right to take ground not exceeding 300 feet in width, and 3,000 feet in length, for station buildings, depots, machine-shops, side tracks, turn-outs and water stations, to the extent of one station for each ten miles of its road.

Under authority of above Act, permission to erect a station house was granted to the above railway company by the Secretary of War, February 19, 1889.

Under authority of Act of Congress, approved March 3, 1891, conditional right of way was granted, January 12, 1904, to J. W. Clark et al. to construct and maintain irrigating ditches not exceeding 60 feet in width through the reservation; the work of constructing, operating and maintaining said ditches to be subject to the approval of the post commander.

Authority given October 12, 1905, under section 6, Act of Congress of July 5, 1884 (23 Stat. L., 103), to Board of County Commissioners of Choteau County, for county road sixty feet wide.

Revocable Licenses: License, May 12, 1896, to Broadwater Pepin Company to construct, maintain and use telephone line from reservation boundary near Havre to the post.

License, February 2, 1897, to Broadwater, Pepin and Devlin to maintain a stock-yard on the reservation for a loading station.

License, February 9, 1898, to Mrs. Mary Herron to reside and conduct dairy business on reservation, subject to orders and regulations of post commander.

License, January 30, 1904, to Henry J. Meili to construct and maintain dam and waste ditch for benefit of ranchers residing along Big Sandy Creek.

License, April 27, 1904, to Walter Brown to maintain a dam and irrigation ditch for the purpose of taking water from Gravelly Coulee.

License, August 22, 1905, to I. S. Moultrop, to conduct a steam laundry in building known as "Quartermasters No. 54."

FORT HARRISON.

This reservation contains an area of 1,040 acres, and is situated about 6 miles west of the City of Helena, in Lewis and Clark County. The land was acquired and post established under an Act of Congress approved May 12, 1892. The title is as follows:

1. Quit-Claim Deed from Ansalem J. Davidson (Trustee) and wife, dated December 31, 1892, conveying all their right, title, and interest in and to Sections 15, 16, 17, 21 and 22, in Township 10 North, Range 4 West. Recorded in Book 32, page 326, of the deed records of Lewis and Clark County.

2. Quit-Claim Deed from Nicholas Kessler, dated February 17, 1893, conveying all right, title, and interest in Section 16, Township 10 North, Range 4 West. Recorded in Book 25, page 271, of same records.

3. Deed from Nicholas Kessler, dated February 17, 1893, conveying the North half of the northwest quarter of Section 22, Township 10 North, Range 4 West, containing 80 acres. Recorded in Book 31, page 467, of same records.

4. Quit-Claim Deed from the State of Montana, dated March 7, 1893, conveying the east half of Section 16, Township 10 North, Range 4 West. Recorded in Book 32, page 323, of same records.

5. Quit-Claim Deed from Eli Knobb and wife, dated March 10, 1893, conveying the " Giant H " Quartz-lode Claim, 600 feet by 1,500 feet, in Section 16, Township 10 North, Range 4 West. Recorded in Book 25, page 273, of same records.

6. Quit-Claim Deed from Mary B. Sperling, dated March 21, 1893, conveying part of Good Luck Mining Claim, containing 0.34 acre—reserving right to mine, etc. Recorded in Book 26, page 141, of same records.

7. Quit-Claim Deed from Northern Pacific Railroad Company, et al., dated March 21, 1893, conveying the West half (less right of way for main line 0.25 acre) of Section 15; the northeast quarter; the east half of the northwest quarter, and northwest quarter of northwest quarter, of Section 21; the southeast quarter of the southeast quarter of Section 17, in Township 10 North, Range 4 West, containing 640 acres; reserving a strip 400 feet wide for right of way for railroad purposes. Recorded in Book 32, page 320, of same records.

8. Quit-Claim Deed from Jacob Fisher and wife, dated April 15, 1893, conveying all interest in Section 16, Township 10 North, Range 4 West. Recorded in Book 25, page 272, of same records.

9. Quit-Claim Deed from H. W. Brooks and wife, et al., dated May 22, 1893, conveying all right, title, and interest in the East half of Section 16, Township 10 North, Range 4 West, known as the Red Rock Lode and the Minnie B. Lode mining claims. Recorded in Book 29, page 236, of same records.

For jurisdiction see General Act of Cession.

Revocable Licenses: License, February 10, 1903, by Commanding General, Department of Dakota, to I. S. Moulthroup to construct and maintain a sanitary steam laundry on the reservation, under authority of the Secretary of War, dated January 10, 1903.

License, November 4, 1904, to Helena Light & Traction Company for electric railway on reservation.

FORT KEOGH.

The present area of this reservation is about 90 square miles. It is situated in Custer County, and, being a part of the public domain, was reserved for military purposes by Executive order dated March 14, 1878. The Post was established in 1876, under authority of an act of Congress, approved July 22, 1876. By Act of Congress, approved July 30, 1890, the reservation was reduced to its present area.

For jurisdiction see Fort Assinniboine and General Act of Cession.

Easements. Act of Congress, approved May 11, 1906 (34 Stat L 187) granted to Chicago, Milwaukee and St Paul Railway Company of Montana a right of way for railway line, etc., through reservation. Location approved Sept. 24, 1906.

The Northern Pacific Railroad Company, pursuant to authority of Act of Congress, approved July 2, 1864, had located a right of way thereon prior to the establishing of the reservation for military purposes.

Revocable Licenses: License, September 27, 1886, to Northern Pacific Railroad Company and cattle and stock men to drive cattle and stock across the reservation from certain proposed stock pens to the south boundary.

License, March 27, 1897, to Northern Pacific Railway Company to construct loading and unloading pens on the reservation.

License, March 28, 1898, to William H. Bullard to make and burn brick upon the reservation.

License, December 16, 1899, to James H. McNaney to establish and operate a ferry across the Yellowstone River.

License, May 9, 1901, to Board of County Commissioners of Custer County to extend county road across the reservation and to construct a steel bridge across the Yellowstone River.

License, June 10, 1903, to Board of County Commissioners of Custer County to construct corral and cutting pens at south approach of bridge of said county across the Yellowstone River.

License, Sept. 15, 1906, to Rocky Mountain Bell Telephone Company for telephone line.

FORT MISSOULA.

This reservation contained an aggregate of 3,097.41 acres, of which 1,200 acres belonged to the Post proper and 1,577.41 acres to the Wood and Timber reserve. The Post is situated on Bitter Root River, 1 mile from Bitter Root and 4 miles from Missoula. It was established in June, 1877 The Wood and Timber reserve is 6 miles southeast of the Post. The lands were reserved from the public domain by Executive order dated February 19, 1877. The reservation was enlarged by Executive order dated August 5, 1878, and the Wood and Timber reserve declared by Executive order dated June 10, 1879. See Appendix, page 457, *post.*

Through an error of survey, most of the Post Buildings were located on Section 36, Township 13 North, Range 20 West, instead of Section 31, Township 13 North, Range 19 West, a section reserved for military purposes.

A portion of section 36 was purchased by the citizens of Missoula for the purpose of presenting it to the United States; and Congress

by Act of March 19, 1904, authorized the Secretary of War to accept the donation of a portion of said section, inter alia, and title thereto has been conveyed by the following deeds:

1. Deed from Elmer E. Hershey, Trustee, dated March 16, 1903, conveying the N.E. ¼ of Section 36, Township 13 North, Range 20 West, containing 160 acres. Recorded in volume 37, page 63, deed records of Missoula County.

2. Deed from John Bonner, Trustee, dated March 16, 1903, conveying the N. ½ of N.W. ¼ and N. ½ of S.E. ¼ of same section, containing 160 acres. Recorded in page 62 of same records.

For jurisdiction see Fort Assinniboine and General Act of Cession.

Revocable License: License, August 4, 1904, to On Sing to conduct a laundry heretofore conducted by him under permission of post commander.

NATIONAL CEMETERY OF CUSTER'S BATTLEFIELD.

This reservation contains an area of 1 square mile and is situated on the right bank of the Little Big Horn River. It was formerly a part of the Crow Indian Reservation, and was set apart by Executive order, dated December 7, 1886, together with Fort Custer, since abandoned.

For jurisdiction see Fort Assinniboine and General Act of Cession.

NEBRASKA.

GENERAL ACT OF CESSION.

"SECTION 1. *Be it enacted, etc.*, That the consent of the state of Nebraska is hereby granted to the United States of America to purchase such grounds as may be deemed necessary, in the city of Nebraska City, Nebraska, or any other city or incorporated town in the state of Nebraska, for the erection thereon of buildings for the accommodation of the United States circuit and district courts, post-office, land office, mints or any other government office, and also for the purchase by the United States of such other lands within the state of Nebraska as the agents or authorities of the United States may from time to time select for the erection thereon of forts, magazines, arsenals, and other needful buildings.

"SEC. 2. The jurisdiction of the state of Nebraska in and over the lands mentioned in the preceding section shall be and the same is hereby ceded to the United States; *Provided*, That the jurisdiction hereby ceded shall continue no longer than the United States shall own or occupy said lands.

"SEC. 3. The said consent is hereby given, and the said jurisdiction ceded upon the express condition that the state of Nebraska shall retain concurrent jurisdiction with the United States in and over the said lands, so far as that all civil process in all cases and such criminal or other process as may issue under the laws or authority of the state of Nebraska, against any person or persons charged with crime or misdemeanors committed within said state, may be executed therein, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real and personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have aquired the title to said lands by purchase or grant; and so long as the said lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue exonerated and exempt from all taxes, assessments, and other charges which may be levied or imposed under the authority of the laws of this state." (Approved February 23, 1883. Compiled Stats. of Neb., 1901, p. 1136, sec. 5097.)

FORT CROOK.

This reservation contains an area of 545.67 acres with metes and bounds as announced in G. O. 178, W. D., Oct. 18, 1906, and is situated in Sarpy County, about 5 miles southwest of the City of Omaha. The Post was established under authority of an Act of Congress approved July 23, 1888, and the title to the lands acquired for the purpose is as follows:

1. Deed from Henry T. Clarke and wife, dated September 7, 1889, conveying 502.59 acres of land. Recorded in Book V, page 189, of the deed records of Sarpy County.

2. Decree of Condemnation for 43.08 acres in case of The United States *v.* said land and Henry Zeucher, defendant, in the District Court of the United States for the District of Nebraska. Decree rendered February 4, 1890, and filed with the record in the Clerk's Office of said District Court.

3. Deed from Henry T. Clarke and wife, dated February 26, 1890, conveying a right of way for a sewer. Recorded in Book V, page 503, of the records of Sarpy County.

Consent to the purchase of this reservation was given, and jurisdiction over it was ceded to the United States, by an Act of the State Legislature approved March 30, 1889, which provides as follows:

"SECTION 1. That the consent of the State of Nebraska is hereby given to the purchase or condemnation by the United States of such land in Sarpy, Washington, or Douglas county, Nebraska, not exceeding one thousand acres in extent, as may hereafter be selected by the United States, as a site for a military post and reservation.

"SEC. 2. The jurisdiction of the state of Nebraska in and over the land mentioned in the preceding section, when purchased or condemned by the United States, shall be, and the same hereby is ceded to the United States: *Provided*, That the jurisdiction hereby ceded shall continue no longer than the said United States shall own or occupy the said land.

"SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the state of Nebraska shall retain concurrent jurisdiction with the United States in and over the said land so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of Nebraska against any person or persons charged with crimes or misdemeanors committed within said State, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real and personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, grant or condemnation, and so long as the said land shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of this state." (Compiled Stats. of Neb., 1901, p. 1139, sec. 5115.)

See also General Act of Cession.

Revocable License: March 1, 1906, to the Omaha & Southern Interurban Railway Company, for electric railway.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

This reservation, containing 14,520 square feet, is situated in the city of Omaha. The building in which the offices are located, being the old Federal Building, was transferred by the Treasury Department, pursuant to an Act of Congress approved January 21, 1889.

The title is as follows:

Deed from Charles H. Downs and wife, dated May 19, 1870, conveying 13,992 square feet of land. Recorded in Book 9, page 211, of the records of Douglas County.

For jurisdiction see General Act of Cession.

FORT MCPHERSON NATIONAL CEMETERY.

This reservation contains an area of 107 acres, of which 4½ acres are enclosed. It is situated about 4 miles from Maxwell, in Lincoln County. The title is as follows:

Reserved from the public domain for military purposes by Executive orders of January 22, 1867, January 25, 1870, and October 11, 1870; the reservation being known as Fort McPherson, and containing 19,500 acres. The Post was abandoned and the lands transferred to the Department of the Interior by War Department Circular dated January 10, 1887, reserving the above National Cemetery tract as the same was set apart by Executive order dated October 13, 1873.

FORT NIOBRARA.

This reservation contains 94 square miles and 133 acres. It is situated on the Niobrara River about 4½ miles from Valentine, in Cherry County. The Post was established under authority of an Act of Congress approved June 23, 1879, and lands, being a part of the public domain, reserved for military purposes by Executive order dated December 10, 1879; enlarged by Executive order dated June 6, 1881, and modified by Executive order dated April 29, 1884. By Executive order, dated May 7, 1896, a tract of 720 acres was transferred to the Interior Department for disposition.

An addition of about 26,000 acres was made to this reservation by Executive order of June 22, 1904, which, with the lands theretofore reserved, aggregate about 60,000 acres.

Revocable Licenses: License, May 25, 1905, to J. O. Vincent, Postmaster at Fort Niobrara, for dwelling and plot of ground to be occupied in connection therewith.

License, August 22, 1905, to I. S. Moultrop, as manager of Sanitary Steam Laundry Company, for laundry in "Building No. 31."

License, April 13, 1906, to Cherry County Telephone Company, for telephone line.

Jurisdiction was ceded to the United States by acts of the State Legislature approved March 29, 1887, and March 29, 1889. These acts provide as follows:

"SECTION 1. That the jurisdiction of the State of Nebraska in and over the military reservations known as Fort Niobrara and Fort Robinson be, and the same are hereby, ceded to the United States.

"*Provided*, That the jurisdiction hereby ceded shall continue no longer than the United States shall own and occupy said military reservations.

SEC. 2. The said jurisdiction is ceded upon the express condition that the State of Nebraska shall retain concurrent jurisdiction with the United States in and over the said military reservations so far as that all civil process in all cases, and such criminal or other process may issue under the laws or authority of the State of Nebraska against any person or persons charged with crime or misdemeanors committed within said State, may be executed therein in the same way and manner as if such jurisdiction had not been ceded, except so far as such process may affect the real and personal property of the United States.

"*Provided*, That nothing in the foregoing act shall be construed so as to prevent the opening and keeping in repair public roads and highways across and over said reservations." (Approved March 29, 1887. Published as sections 10 and 11, article 13, chapter 83, Compiled Statutes of 1887.)

"SECTION 1. That section ten (10), article thirteen (13), of chapter eighty-three (83), of an act ceding the jurisdiction over the military reservations of Fort Niobrara and Fort Robinson, Nebraska, be amended to read as follows:

"'That the jurisdiction of the state of Nebraska, in and over the reservations known as Fort Niobrara and Fort Robinson be, and the same are hereby, ceded to the United States.'

"*Provided*, That the jurisdiction hereby ceded to the United States shall continue no longer than the United States shall own or occupy said military reservations.

"*Provided further*, That nothing in this act shall exempt any property within the limits of said military reservations belonging to any civilian therein from assessment, levy, and collection of tax which would otherwise be subject to taxation within Nebraska, except the personal property of the officers and enlisted men in the service of the United States who may be stationed on said military reservations, the said personal property being owned by said officers and enlisted men for their comfort and convenience. Nor shall any of the provisions of this act in any way interfere with any proper officer of the state of Nebraska in entering upon said reservations for the purpose of assessment or collecting any taxes due said state. Nor shall any of the provisions of this act prevent the enforcement on said military reservations of chapter fifty (50) of the Compiled Statutes relating to the license and sale of intoxicating liquors.

"SEC. 2. That section ten (10), article thirteen (13), chapter eighty-three (83), as now existing is hereby repealed, and this, the section substituted in its stead: *Provided*, That all suits pending and all rights acquired under section hereby repealed shall be saved the same as though said section had continued in force." (Approved March 29, 1889. Compiled Stats. of Neb., 1901, p. 1137, sec. 5102.)

See also General Act of Cession and Appendix, page 437, *post*.

Easement: Act of Congress, approved February 28, 1883, granted to the Fremont Elkhorn and Missouri Valley Railroad Company right of way 100 feet in width across the reservation, and such quantity of land not exceeding 150 feet in width and 400 feet in length in addition for necessary depot and switches. Location approved by the Secretary of War, August 14, 1891.

OMAHA DEPOT.

This reservation contains about 7 acres of land and is situated adjoining the City of Omaha, in Section 27, Township 15 North, Range 13 East, of the Sixth Principal Meridian, Douglas County.

The title is as follows:

1. Deed from heirs of Jacob S. Shull, dated August 9, 1879, conveying 5 acres of land. Recorded in Book 30, page 163, of the records of Douglas County.

2. Quit-Claim Deed from Augustus Kountze and wife, et al., dated September 1, 1879, conveying all interest in above land. Recorded in Book 30, page 162, of same records.

3. Deed from Mary A. Elliott, et al., dated May 29, 1903, conveying a tract of land therein described. Recorded in Book 269, page 25, of same records.

4. Quit-Claim Deed from Albert Hartsuff and wife, dated August 5, 1903, conveying a tract of land therein described. Recorded in Book 267, page 370, of same records.

5. Deed from Mary A. Elliott, et al., dated February 1, 1904. Recorded in Book 270 of Deeds, page 156, of the records of Douglas County.

6. Quit-claim deed from Albert Hartsuff and wife, dated January 9, 1904; recorded in same Book at page 158.

Jurisdiction over tract acquired in 1879 was ceded to the United States by an Act of the State Legislature, approved March 2, 1881, which provides as follows:

"SECTION 1. That the consent of the State of Nebraska is hereby given to the purchase or lease by the United States of the lands situated in the City of Omaha, County of Douglas, State of Nebraska, and described as follows, to wit: [Here the 5 acres conveyed by deeds 1 and 2 are described by metes and bounds.] The provisions of this act shall extend to all additions to the above-described lands hereafter obtained.

"SEC. 2. The jurisdiction of the State of Nebraska in and over the lands mentioned in the preceding section shall be, and the same hereby is ceded to the United States: *Provided*, the jurisdiction hereby ceded shall continue no longer than the said United States shall own or occupy said lands.

"SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the State of Nebraska shall retain concurrent jurisdiction with the United States in and over the said lands so far that all civil process in all cases, and such criminal or other process as may issue under the law or authority of the State of Nebraska against any person or persons charged with crime or misdemeanor committed within said State, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real and personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said lands by purchase or grant, and so long as the said lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied or imposed under the authority of the State."

For jurisdiction over additions acquired in 1903 and 1904, see General Act of Cession.

FORT OMAHA.

This reservation contains an area of 82.50 acres with metes and bounds as announced in G. O. No. 150, W. D. Aug. 18, 1906. It is situated in the City of Omaha, Douglas County. A tract of 40 acres was purchased in 1868, which was ratified by Act of Congress, approved March 3, 1873. An addition of 42.50 acres was purchased in 1882. The title is as follows:

1. Deed from Emerson S. Seymour and wife, dated August 26, 1868, conveying 20 acres of land. Recorded in Book 4, page 320, of the deed records of Douglas county.

2. Deed from Charles B. Wells and wife, dated September 4, 1868, conveying 20 acres of land. Recorded in Book 4, page 339, of same records.

3. Quit-Claim Deed from Augustus Kountze and wife, dated April 17, 1882, conveying 42.50 acres of land. Recorded in Book 46, page 529, of same records.

Jurisdiction was ceded to the United States by an Act of the State Legislature, approved February 23, 1870, which provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of Nebraska is hereby given to the purchase or lease by the United States, of the lands in Douglas County, not exceeding one hundred acres, upon which is located the military post now known as Omaha Barracks.

"SEC. 2. The jurisdiction of the State of Nebraska in and over the lands mentioned in the preceding section, when purchased or leased by the United States, shall be, and the same hereby is ceded to the United States: *Provided*, That the jurisdiction hereby ceded shall continue no longer than the said United States shall own or occupy the said lands.

"SEC. 3. The said consent is given and said jurisdiction ceded upon the express condition that the State of Nebraska shall retain concurrent jurisdiction with the United States, in and over the said lands so far that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the State of

Nebraska, against any person or persons charged with crime or misdemeanor committed within said State, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real and personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land by purchase or grant, and so long as the said lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State.

"SEC. 5. It is further enacted that any malicious, wilful, reckless, or voluntary injury to or mutilation of the grounds, buildings, or appurtenances, shall subject the offender or offenders to a fine of not less than twenty dollars, to which may be added, for an aggravated offence, imprisonment not exceeding six months in the County jail or workhouse, to be prosecuted before any court of competent jurisdiction."

See also General Act of Cession.

Revocable Licenses: License, April 27, 1905, to The Chicago & North Western Railway Company, for spur track.

License, March 28, 1906, covering continuance of use by the public of road along northern boundary.

FORT ROBINSON.

This reservation contains an area of about 36 square miles, including the Wood and Timber reserve, and was a part of the public domain. It is situated on White River, 3 miles from Crawford, in Dawes and Sioux Counties. The Post was established in March, 1874, and by Executive order dated November 14, 1876, the reservation was then declared, with an area of 7 square miles and 199 acres, and this was afterwards enlarged by Executive order dated June 28, 1879, making the present area at the Post of 20 square miles. A Wood and Timber reserve, containing an area of 16 square miles, was declared by Executive order dated November 4, 1879. This last reserve is about 3 miles from the line of the Post reservation.

By Executive Order, dated September 19, 1896, so much of the reservation as lay east of the line marked for the eastern boundary in the survey of the public lands adjacent thereto, and described in the field notes and plats of said survey on file in the office of the Commissioner of Public Lands and Buildings, at Lincoln, Nebraska, was turned over to the Interior Department.

By Executive Order, dated September 14, 1906 (G. O. No. 165, War Department, October 1, 1906), a parcel of land in the northwest corner of the reservation, which had been erroneously included in patents to private parties, was transferred to the Interior Department.

For jurisdiction see Fort Niobrara. See also General Act of Cession, and Appendix, page 437, *post.*

Easements: Act of Congress, approved January 20, 1885, granted to the Fremont, Elkhorn and Missouri Valley Railroad Company right of way 100 feet in width through the reservation. Location approved by the Secretary of War, February 1, 1886.

Act of Congress, approved March 3, 1891, granted to any corporation, etc., right of way through reservations of the United States for the purpose of constructing irrigating canals or ditches. Location of irrigating ditch by W. T. Forbes, under authority of above Act, approved by the Secretary of War, June 7, 1895.

Location of ditches by The Crawford Company, assignees of Wm. T. Forbes, approved by the Secretary of War, November 14, 1896.

Revocable Licenses: License, December 26, 1889, to the Crawford Fair Association to enter upon a portion of the reservation, plant trees thereon and improve it for the use of a fair ground.

License, July 24, 1896, to The Crawford Company to build a small house on the reservation.

License, January 26, 1900, to the Fremont, Elkhorn and Missouri Valley Railroad Company to occupy a portion of the reservation for stock-yard purposes.

License, August 4, 1903, to the Village of Crawford to place a dam and pumping station, excavate a raceway and sink a well upon the reservation.

License, April 3, 1906, to the Crawford Telephone Company, Crawford, Nebraska, for telephone system.

NEVADA.

No Military Reservations.

NEW HAMPSHIRE.

GENERAL ACT OF CESSION.

"SECT. 1. The jurisdiction of this state is hereby ceded to the United States of America over all such pieces or parcels of land within the limits of this state as have been or shall hereafter be selected and acquired by the United States for the purpose of erecting post-offices, custom houses, or other structures exclusively owned by the United States and used for its purposes: Provided that an accurate description and plat of such lands so acquired, verified by the oath of some officer of the United States having knowledge of the facts, shall be filed with the governor of this state: And provided further, that this cession is upon the express conditions that the state of New Hampshire shall retain concurrent jurisdiction with the United States in and over all lands acquired or hereafter acquired as aforesaid, so far as that all civil and criminal process issuing under authority of this state may be executed on the said lands, and in any buildings erected or to be erected thereon, in the same way and manner as if this act had not been passed; and exclusive jurisdiction shall revert to and revest in this state whenever the said lands shall cease to be the property of the United States.

"SECT. 2. The lands aforesaid, when acquired, shall be forever exempt from all taxes and assessments so long as the same shall remain the property of the United States." (Approved June 14, 1883. N. H. Laws, 1883, p. 5.) See, also, Public Statutes and General Laws in force January 1, 1901, page 59.

FORT CONSTITUTION.

This reservation contains about 12 acres, and is situated on a rocky projection in the Piscataqua River at the entrance to the harbor of the City of Portsmouth. It is about 3 miles below the city, on the west side of the river, on the eastern end of "Great Island," being the most eastern end of New Hampshire. It was formerly an English fort called "William and Mary," and was occupied by the United States troops in 1806.

The title to the original reservation was acquired and jurisdiction ceded to the United States by acts of the State Legislature of February 14, 1791, and June 18, 1807.

Under authority of an Act of Congress, approved June 6, 1900, the reservation was increased by the following additions:

1. Deed from Justin H. Yeaton and wife, dated July 19, 1902, conveying 3,575 square feet of land. Recorded in Liber 595, folio 26, of the records of Rockingham County.

2. Deed from the Heirs of Eben Yeaton, dated July 19, 1902, conveying 4,900 square feet of land. Recorded in Liber 595, folio 20, of same records.

3. Deed from the Heirs of Sylvester Yeaton, dated July 19, 1902, conveying certain land therein described. Recorded in Liber 595, page 21, of same records.

4. Deed from Mary C. Pridham, dated July 19, 1902, conveying about 3,266 square feet of land. Recorded in Liber 595, folio 22, of same records.

5. Deed from John H. Rull, dated July 19, 1902, conveying about 1,020.8 square feet of land. Recorded in Liber 595, folio 23 of same records.

6. Deed from Eliza A. Rand, dated July 19, 1902, conveying certain land therein described. Recorded in Liber 595, folio 27, of same records.

7. Deed from William H. Thompson, dated July 19, 1902, conveying certain land therein described. Recorded in Liber 595, folio 24, of same records.

8. Deed from Frank Jones, dated July 19, 1902, conveying certain land therein described. Recorded in Liber 595, folio 35, of same records.

9. Deed from Ellen F. Osgood, dated July 19, 1902, conveying certain land therein described. Recorded in Liber 595, folio 25, of same records.

10. Deed from Alice G. Stewart, dated August 4, 1902, conveying certain land therein described. Recorded in Liber 595, folio 159, of same records.

11. Deed from Catherine T. Preble, Administratrix, dated November 29, 1902, conveying certain land therein described. Recorded in Liber 588, folio 148, of same records.

The two acts of the State Legislature referred to above as ceding jurisdiction appear below:

"*Be it enacted, etc.*, that one acre and three-quarters of an acre of a certain neck of land situate in Newcastle, on Great Island, at the entrance of Piscataqua River, commonly called Fort Point, to begin at the northeasterly extremity of said point, and to run southwesterly, carrying the whole width of said neck of land, until a line crossing

said neck south forty degrees east shall complete the aforesaid acre and three-quarters of an acre of land, together with the fort and light-house thereon, be, and hereby are ceded to and vested in the United States of America, with all the jurisdiction thereof which is not reserved by this Act: *Provided, nevertheless, and be it further enacted*, That if the United States shall at any time neglect to keep lighted, and in repair said light-house, the cession aforesaid shall in that case be utterly void and of no effect: *Provided, also*, That all writs, warrants, executions and all other processes of every kind, both civil and criminal issuing under the authority of this State, or any officer thereof, may be served and executed on any part of said land, or in said fort, or any other building which now is, or hereafter may be erected upon the premises aforesaid, in the same way and manner as though this act had not been passed." (Passed February 14, 1791.)

"*Be it enacted, etc.*, That the remainder of the land at said New-Castle, belonging to this State, being about one acre and one half of an acre more or less, be and hereby is ceded to and vested in the United States of America, with all the jurisdiction thereof which is not reserved by this act: *Provided, nevertheless, and be it further enacted*, That all writs, warrants, executions, and all other processes of every kind, both civil and criminal issuing under the authority of this State, or any officer thereof, may be served and executed on any part of said land, or in any fort or other building which now is or hereafter may be erected upon said premises in the same way and manner as though this act had not been passed." (Approved June 18, 1807.)

See also General Act of Cession.

PORTSMOUTH GUN HOUSE.

This lot contains 5,760 square feet of land and is situated in the City of Portsmouth, in Rockingham County. The title is as follows:

Deed from the Selectmen of the town of Portsmouth, dated August 20, 1808, conveying the above lot. Recorded in Liber 4, folio 51, etc., of the deed records of Rockingham County, in Portsmouth.

For jurisdiction see General Act of Cession.

FORT STARK.

This reservation contains 10 acres, more or less, exclusive of right of way, and is situated in the town of Newcastle, in Rockingham County. The title is as follows:

1. Deed from John Lamprey and wife, dated March 14, 1873, conveying land known as Point Jerry. Recorded in Book 442, page 261, of the deed records of Rockingham County.

2. Deed from John A. Lamprey, et al., dated March 14, 1873, conveying above premises. Recorded in Book 438, page —, of same records.

There is no special act ceding jurisdiction over this battery to the United States, but jurisdiction is believed to have been ceded by the general act of the State Legislature, approved July 12, 1871, which provides as follows:

"SECTION 1. That the consent of the legislature of the State of New Hampshire be, and the same is hereby, given to the purchase by the

government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting therein light-houses and other needful public buildings whatever; and all deeds, conveyances of title papers for the same, shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances of any tract or tracts, legal divisions of any public land belonging to the United States, which may be set apart by the general government for any or either of the purposes before mentioned, by an order, patent, or other official document or papers so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the constitution of the United States, and with the acts of Congress in such cases made and provided.

"SEC. 2. The lots, parcels, or tracts of land, so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of New Hampshire."

See also General Act of Cession.

Revocable License: License, November 3, 1881, to the Treasury Department to occupy a portion of the reservation for a life-saving station.

NEW JERSEY.

BAYSIDE (POINT COMFORT).

This reservation contains an area of 25.734 acres and is situated near Point Comfort, in the township of Middletown, in Monmouth County. The title is as follows:

Deed from James F. Thomson and wife, dated May 20, 1892, conveying 25.734 acres. Recorded in Book 501, page 241, etc., of the deeds records of Monmouth County.

Jurisdiction was ceded to the United States by an act of the State Legislature approved March 7, 1893, which, after describing in the preamble the lands above conveyed, provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the State of New Jersey is hereby given to the acquisition by the United States of the tract or parcel of land above described, and the same is hereby ceded to the United States of America; upon the said land so acquired the United States may erect fortifications, barracks, and other public buildings, for the defence of the southern or main entrance to New York harbor, and the United States shall have, hold, occupy and own said land thus acquired, and exercise jurisdiction and control over the same and every part thereof subject to the restrictions hereafter mentioned; the same, however, not to be used for quarantine purposes.

"SEC. 2. *And be it enacted*, That the jurisdiction hereby ceded shall vest when a plat and description of the land thus acquired shall have been filed in the office of the secretary of state of the State

of New Jersey; such jurisdiction shall continue no longer than the United States shall own such land, and such consent is given and jurisdiction ceded upon the express condition that the State of New Jersey shall retain concurrent jurisdiction with the United States in and over such land so far as that all civil processes in all cases, and such criminal and other processes as may issue under the laws or authority of the State of New Jersey against any person or persons charged with crimes, misdemeanors or criminal offences committed within the State may be executed thereon, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such processes may affect the real or personal property of the United States.

"SEC. 3. *And be it enacted*, That so long as such land thus acquired shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the State." (Gen'l Stats. of N. J., p. 3483, sec. 61.)

BEVERLY NATIONAL CEMETERY.

This cemetery contains an area of 1 acre, and is situated at Beverly, in Burlington County. The title is as follows:

Deed from Joseph Weyman, dated August 25, 1864, conveying 1 acre, etc. Recorded in Book C 7, page 270, etc., of the deed records of Burlington County, at Mount Holly.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 19, 1872, providing as follows:

"*Be it enacted, etc.*, That the consent of the State be, and the same is hereby given to the purchase by the United States of that certain piece of ground occupied as a national cemetery, situate near Beverly, in the county of Burlington, and known and described as follows: * * * being the same conveyed by Joseph Weyman to the United States by deed dated August twenty-fifth, eighteen hundred and sixty-four."

DOVER POWDER DEPOT.

This reservation contains 1,866.50 acres, and is situated in the townships of Rockaway and Jefferson, in Morris County. The title is as follows:

1. Deed from George E. Righter, dated June 26, 1880, conveying 1,195.80 acres. Recorded in Book L 10, page 16, etc., of the deed records of Morris County.

2. Deed from Uel H. Wiggins and wife, dated July 17, 1880, conveying 167.32 acres. Recorded in Book L 10, page 22, etc., of same records.

3. Deed from Edward C. Fiedler and wife, et al., dated July 30, 1880, conveying 304.20 acres. Recorded in Book L 10, page 315, etc., of same records.

4. Deed from Henry Doland, et al., dated August 20, 1880, conveying 11 acres. Recorded in Book M 10, page 463, etc., of same records.

5. Deed from John E. Kindred, dated March 5, 1881, conveying 187.80 acres. Recorded in Book N 10, page 328, etc., of same records.

Jurisdiction ceded to the United States by the following act of the State Legislature, approved March 10, 1880:

"*Be it enacted, etc.*, That the consent of the legislature of New Jersey be, and the same is hereby given, to the purchase by the government of the United States, or under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting thereon magazines and other needful buildings to be used as a powder depot for the ordnance department of the United States Army; and all deeds, conveyances of title papers for the same, shall be recorded as in other cases upon the land records of the county in which the land so conveyed may be; the consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the constitution of the United States, and with the acts of Congress in such cases made and provided."

Easement: Act of Congress, approved May 6, 1886, granted a right of way to the Morris County Railroad Company. Location approved, November 13, 1886.

FINN'S POINT NATIONAL CEMETERY.

Part of Fort Mott reservation, and contains an area of 2½ acres. For title, see Fort Mott.

FORT HANCOCK.

This reservation contains an area of 1,366 acres and also a narrow strip of land connecting the peninsula with the mainland of Navesink Highlands, authorized to be purchased by Act of Congress approved July 23, 1892. The title is as follows:

1. Deed from Richard Hartshorn, et al., dated February 26, 1806, conveying Sandy Hook Point. Recorded in Book 2, folio 442, etc., of the deed records of Monmouth County.

2. Deed from Richard Hartshorn and wife, dated June 17, 1817, conveying the remainder of Sandy Hook. Recorded in Book A 2, folio 25, etc., of same records.

3. Release of mortgage from Ann Ustick to the United States, dated June 17, 1817, conveying her interest in above tract.

4. Deed from "The Highland Beach Association," dated July 27, 1892, conveying Lots 2 to 22, inclusive, and all riparian rights, etc., with right of way, etc. Recorded in Book 516, page 331, etc., of same records. This deed excepts property of New Jersey Southern Railway Company.

5. Deed from "The Atlantic Highlands Association," dated July 29, 1892, conveying Lot 1 and riparian rights, etc. Recorded in Book 516, page 327, etc., of same records. This deed also excepts property of New Jersey Southern Railway Company.

6. Deed from The New Jersey Southern Railway Company, dated May 1, 1893, conveying the land reserved by above deeds aggregating 132,000 square feet, together with certain railroad property. Recorded in Book 520, page 252, etc., of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature approved November 16, 1790, March 12, 1846, and March 22, 1898, which provide as follows:

"SECTION 1. *Be it enacted by the Council and General Assembly of this State*, and it is hereby enacted by the authority of the same, that the jurisdiction of this State in and over a lot of land situate at the point of Sandy Hook, in the County of Monmouth, containing 4 acres, on which a light-house and other buildings are erected, shall be, and the same is hereby, ceded to and vested in the United States of America forever hereafter." (Act of November 16, 1790.)

"1. *Be it enacted, etc.*, That the jurisdiction in and over all that portion of Sandy Hook, in the county of Monmouth, owned by the United States, lying north of an east-and-west line through the mouth of Youngs creek at low water, and extended across the island or cape of Sandy Hook from shore to shore, and bounded on all other sides by the sea and Sandy Hook bay, be, and the same is hereby ceded to the United States, for military purposes; and the said United States shall retain such jurisdiction so long as the said tract shall be applied to the military or public purposes of said United States, and no longer.

"2. *And be it enacted*, That the jurisdiction ceded in the first section of this Act, shall not prevent the execution on the said tract of land of any process, civil or criminal, under the authority of this State, except so far as such process may affect any of the real or personal property of the United States of America within the said tract; nor shall it prevent the operation of the public laws of this State within the bounds of the said tract, so far as the same may not be incompatible with the free use and enjoyment of the said premises by the United States for the purposes above specified.

"3. *And be it enacted*, That all the lands and tenements within the aforesaid boundaries, so long as the same shall continue the property of the United States, and be used for the purposes expressed in this act, shall be and remain exempted from all taxes, assessments, and other charges which may be imposed under the authority of this State." (Act of March 12, 1846.)

The act of the State Legislature, approved March 22, 1898 (Laws of New Jersey, 1898, page 142), gives consent to the purchase of the twenty-two lots conveyed by deeds numbered 4, 5, and 6, ante, and ceded jurisdiction thereover, "upon the express condition that the state of New Jersey shall retain concurrent jurisdiction with the United States in and over such land so far as that all civil processes in all cases, and such criminal and other processes as may issue under the laws or authority of the state of New Jersey against any person or persons charged with crimes, misdemeanors or criminal offenses committed within the state may be executed thereon, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such processes may affect the real or personal property of the United States."

Revocable Licenses: License, March 31, 1853, to New York and Sandy Hook Telegraph Company to erect station and string wires on reservation.

License, November 18, 1874, to New York Merchants Exchange and News Association to put up wooden building for a telegraph station on reservation.

License, June 2, 1877, to Western Union Telegraph Company to erect marine observatory tower and to change location of existing station.

License, July 24, 1882, to Treasury Department to erect frame building for the temporary storing of boats and other life-saving appliances.

License, December 17, 1885, to Inspector of Life Saving Stations to change location of station at Sandy Hook.

License, April 12, 1889, to Treasury Department to change location of life-saving station at Sandy Hook.

License, January 21, 1892, to Treasury Department to place a fog signal on "the wrecks" at Sandy Hook.

License, April 26, 1892, to Treasury Department to run land wires from dynamo house to connect with cable for purpose of lighting turning buoy.

License, August 29, 1894, to Treasury Department to land telephone cable for use of Light House Board.

License, January 3, 1895, to Treasury Department to increase size of lot occupied as life-saving station.

License, November 11, 1897, to Postal Telegraph-Cable Company to erect poles and small signal tower on reservation.

License, June 17, 1902, to International Committee of Young Men's Christian Association to erect and maintain a building on the reservation. License given in accordance with Act of Congress, approved May 31, 1902.

License, December 9, 1904, to Postal Telegraph-Cable Company for water supply and sewer for its building.

License, July 2, 1906, to Weather Bureau, Department of Agriculture, to erect meteorological observatory.

FORT MOTT.

The reservation, formerly called Finn's Point, contains an area of 146.10 acres of land, and is situated on the Delaware River in the township of Lower Penns Neck, 6 miles from the town of Salem, in Salem County. The title is as follows:

1. Deed from John G. Mason, et al., Executors, etc., dated July 15, 1837, conveying 104.35 acres. Recorded in Liber U U, folio 85, etc., of the deed records of Salem County.

2. Decree of condemnation for 41.75 acres, in a cause entitled the United States *v.* Edward S. Sharp, in the District Court of the United States for the District of New Jersey. Rendered March 11, 1901, and affirmed per mandate of Supreme Court of the United States, June 29, 1904. Decree filed in Clerk's Office of District Court, District of New Jersey.

Jurisdiction over the tract acquired in 1837 was ceded to the United States by acts of the State Legislature, approved April 6, 1871, and February 1, 1872, which provides as follows:

"*Be it enacted, etc.*, That the consent of the State be, and the same is hereby, given to the erection of defenses on Finn's Point by the United States; the consent herein and hereby given being as provided in the seventeenth clause of the eighth section of the first article of the constitution of the United States, and in the acts of Congress in such case made and provided." (Approved April 6, 1871.)

"*Be it enacted, etc.*, That the act entitled 'An act giving the consent of the State of New Jersey to the erection of defenses at Finn's Point, New Jersey,' approved April sixth, 1871, shall be so construed as to give the consent of the State to the purchase by the United States of the land on Finn's Point, for the erection of fortifications thereon." (Approved February 1, 1872.)

By act approved February 13, 1900 (Laws of New Jersey, 1900, p. 11), consent was given and jurisdiction ceded over the 41.75 acres acquired under decree of March 11, 1901, affirmed in 1904 (No. 2, *ante*), "upon the express condition that the State of New Jersey shall retain concurrent jurisdiction with the United States in and over the said land, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the State of New Jersey against any person or persons charged with crimes or misdemeanors committed within the State, may be executed therein in the same way and manner as if said consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States."

RED BANK (MONUMENT SITE).

This reservation, containing 400 square feet, is situated 8 miles below the City of Philadelphia, at Red Bank, on the east shore of the Delaware River in the township of West Deptford, Gloucester County. The title is as follows:

Deed from Benjamin P. Heritage and wife, dated May 16, 1872, conveying the above 100 acres. Recorded in Book N 5, page 219, etc., of the deed records of Gloucester County, at Woodbury.

By Executive Order, dated December 15, 1903, the President directed the transfer, to take effect March 25, 1904, to the Interior Department of all the above tract with the exception of the monument site twenty feet square.

Jurisdiction ceded to the United States by the following act of the State Legislature, approved March 12, 1873:

"1. *Be it enacted, etc.*, That the consent of the State be, and the same is hereby, given to the purchase by the United States, for the purpose of erecting thereon forts and other needful buildings, of a certain tract of land, containing one hundred acres, more or less, situated at Red Bank, on the east bank of the Delaware River, in the township of West Deptford, and county of Gloucester, in said State; being the same premises described by metes and bounds in a deed of conveyance of the same to the United States of America by Benjamin P. Heritage and Margaret, his wife, dated May sixteenth, one thousand eight hundred and seventy-two, and recorded in the clerk's office of said county, at Woodbury, in book N five of deeds, page two hundred and nineteen, and so forth."

NEW MEXICO.

FORT BAYARD.

This reservation contains 13 square miles and 520 acres. It is situated 2 miles from Halls, on the Silver City and Northern Railroad, in Grant County, and, being an unappropriated part of the pub-

lic domain, was reserved for military purposes by Executive Order dated April 19, 1869, a Post having been established thereon August 21, 1866.

By Executive Order of July 15, 1905 (G. O. 145, W. D., August 26, 1905), a tract of 28 acres (28 rods wide and 160 rods long), lying along the north boundary, was placed under the control of the Secretary of the Interior under Act of July 5, 1884 (23 Stat. L., 103), the same having been, through error of Interior Department, included in patents to a private party.

By Executive Order of July 14, 1906 (G. O. No. 134, W. D., July 24, 1906), the boundaries were modified to conform to plats of General Land Office, and to include a strip 80 links wide between the west boundary and the section line.

Revocable License; October 29, 1904, to Wm. D. Murray, administrator of the estate of Bridget Murray, for use of "building known as the former residence of the Post Trader."

SANTA FE NATIONAL CEMETERY.

This reservation contains an area of 9.35 acres and is situated at Santa Fe, in Santa Fe County. The title is as follows:

1. Deed from John B. Lamy, Bishop of Sante Fe, dated July 2, 1870, conveying a tract by metes and bounds containing 16,900 square feet. Recorded in Book E, page 394, etc., of the deed records of Santa Fe County.

2. Deed from John B. Lamy, Bishop of Santa Fe, dated October 11, 1875, conveying 1.95 acres, with right of way, etc. Recorded in Book H, page 364, etc., of same records.

3. Decree of condemnation for 7.10 acres in the District Court of the United States, for the First Judicial District, of the Territory of New Mexico. Decree rendered January 30 1894, and filed in the Clerk's Office of said court.

The above sale of cemetery property by the Bishop of Santa Fe was confirmed by an act of the Legislature of the Territory of New Mexico approved December 21, 1875.

FORT WINGATE.

This reservation contains an area of 130 square miles and is situated in Bernalillo County on the line of the Atlantic and Pacific Railroad, in Townships 13, 14 and 15 North, Ranges 15, 16 and 17 West of the New Mexico Principal Meridian. Taken from the public domain by Executive Order, reserving 100 square miles for military purposes, dated February 18, 1870. Reservation enlarged by Executive order dated March 26, 1881, by adding 30 square miles for the purpose of supplying Post with timber, etc.

Easement.—The Atchison, Topeka and Santa Fe Railroad Company, successor to the Atlantic and Pacific Railroad Company, has a right of way across the reservation under Act of Congress of July 27, 1866 (14 Stat. L., 294). See Railroad Company v. Baldwin, 103 U. S. 426.

Revocable Licenses.—License, October 2, 1903, to John P. F. Bloomfield to occupy and use for dairy and garden purpose a portion of the reservation known as the milk ranch.

License, June 27, 1904, to the Santa Fe Pacific Railroad Company to use the water of Springs Nos. 1 and 2, known as West Spring, and lay a pipe therefrom to Wingate Station.

License, April 16, 1906, to Gallup Automatic Telephone Exchange for telephone line.

NEW YORK.

For a list of places over which the State of New York has ceded jurisdiction to the United States, see Revised Statutes of New York, 1901, Birdseye, Vol. 3, page 3339, *et seq.*

GENERAL ACT OF CESSION.

"SECTION 1. The consent of the state of New York is hereby given to the purchase by the government of the United States, and under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate within the boundaries of this state, situate upon or adjacent to the navigable waters thereof, for the purpose of erecting thereon light-houses, beacons, light-house keepers' dwellings, works for improving navigation, post-offices, custom-houses, fortifications, and all deeds, conveyances or other papers relating to the title thereof shall be recorded in the office of the register or county clerk of the county where the said lands are situated.

"§ 2. Whenever the United States is desirous of purchasing or acquiring the title to any tract, piece or parcel of land within the boundaries of this state for any of the purposes aforesaid, and can not agree with the owner or owners thereof as to the purchase thereof, or if the owners of any of said lands are unknown, infants, of unsound mind, or nonresidents, or if for any other reason a perfect title can not be made to said lands, or any part thereof, the United States, by any agent authorized under the hand and seal of any head of an executive department of the government of the United States, is authorized to apply to the supreme court of the state, in and for the county within which the said lands are situated, to have the said lands condemned for the use and benefit of the United States, under the provisions of the statutes of this state applying to condemnation of lands.

"§ 3. Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the government of the United States, shall cause to be filed and recorded in the office of the secretary of state of the state of New York, certified copies of the record of transfer to the United States of any tracts or parcels of land within this state, which have been acquired by the United States for any of the purposes aforesaid, together with maps or plats and descriptions of such lands by metes and bounds, and a

certificate of the attorney-general of the United States that the United States is in possession of said lands and premises for either of the works or purposes aforesaid, under a clear and complete title, the governor of this state is authorized, if he deems proper, to execute in duplicate, in the name of the state and under its great seal, a deed or release of the state ceding to the United States the jurisdiction of said tracts or parcels of land as hereinafter provided.

"§ 4. The said jurisdiction so ceded shall be upon the express condition that the state of New York shall retain a concurrent jurisdiction with the United States on and over the property and premises so conveyed, so far as that all civil and criminal process, which may issue under the laws or authority of the state of New York, may be executed thereon in the same way and manner as if such jurisdiction had not been ceded, except so far as such process may affect the real or personal property of the United States.

"§ 5. The said property shall be and continue forever thereafter exonerated and discharged from all taxes, assessments and other charges, which may be levied or imposed under the authority of this state; but the jurisdiction hereby ceded and the exemption from taxation hereby granted, shall continue in respect to said property so long as the same shall remain the property of the United States, and be used for the purposes aforesaid, and no longer.

"§ 6. One of the deeds or leases so executed in duplicate shall be delivered to the duly authorized agent of the United States, and the other deed or release shall be filed and recorded in the office of the secretary of state of the state of New York; and said deed or release shall become valid and effectual only upon such filing and recording in said office.

"§ 7. The secretary of state shall cause to be printed in the session laws of the year succeeding file in his office of said deed, a statement of the date of the application of the United States for said deed and a copy of the description of the lands so conveyed or ceded, together with the date of the recording of said deed in the office of the said secretary of state.

"§ 8. This act shall not apply to the county of Orange."

(Approved April 17, 1896. Laws of New York, 1896, Vol. 1, p. 377. Rev. Stats. of N. Y., Birdseye, 1901, Vol. 3, page 3365.

ARMY BUILDING.

This property, formerly the Old Produce Exchange, was purchased for Army purposes under the provisions of an Act of Congress approved February 2, 1886. It is situated in the city of New York, and bounded by Whitehall, Pearl, Moore, and Water Streets. The title is as follows:

Deed from the New York Produce Exchange, dated March 27, 1886, conveying the above property, and recorded in the Office of the Register of the City and County of New York in Liber 1955, page 73.

Jurisdiction was ceded to the United States by an act of the State Legislature, passed March 10, 1886, which provides as follows:

"SECTION 1. The consent of the state of New York is hereby given to the acquisition by the United States by purchase, in conformity with the laws of the state of New York, of certain lands and grounds situate in the city of New York, bounded by Whitehall, Pearl, Moore, and Water streets, together with the building thereon known as the Old Produce Exchange; and the said United States shall have, hold, occupy and own the said lands when thus acquired and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereafter mentioned.

"SEC. 2. The jurisdiction of the state of New York, in and over the said lands mentioned in the foregoing section, when acquired by the United States, shall be and the same is hereby ceded to the United States, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said lands.

"SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the state of New York shall retain concurrent jurisdiction with the United States in and over the said land or lands so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of New York against any person or persons charged with crimes or misdemeanors committed within the state, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land or lands by purchase or condemnation in conformity with the laws of this state and so long as said land or lands shall remain the property of the United States when acquired as aforesaid, and no longer; the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the state." (Passed March 10, 1886. Rev. Stats. of N. Y. 8th ed. Vol. 1, p. 234.)

See also General Act of Cession.

CYPRESS HILLS NATIONAL CEMETERY.

This reservation, established as a National Cemetery in 1862, comprises the upper and lower cemeteries, the former containing 2.75 acres and the latter 15.39 acres, making a total of 18.14 acres. It is situated at Brooklyn, on Long Island. The title is as follows:

1. Deed from the Cypress Hills Cemetery Corporation, dated March 29, 1870, conveying two plats in said cemetery. Recorded in the Clerk's Office for Queens County, in Liber 342, page 380.

2. Deed from Isaac Snediker and wife, dated May 22, 1884, conveying "upwards of 15 acres of land." Recorded in Register's Office Kings County, Liber 1569, page 348.

Jurisdiction was ceded to the United States by an Act of the State Legislature passed April 2, 1884, which provides as follows:

"SECTION 1. The jurisdiction of this state over a certain piece or parcel of land, situate partly in the town of New Lots, Kings County,

and partly in the town of Newtown, Queens County, containing fifteen and thirty-nine one-hundredths acres, an accurate description and plat of which, sworn to by an officer of the United States, has been deposited in the office of the secretary of the state of New York, is hereby ceded to the United States of America, for the purpose of establishing a national cemetery whenever said land shall be acquired by the United States: Provided, that this cession is upon the express condition that the state of New York shall retain concurrent jurisdiction with the United States in and over said land, when acquired as aforesaid, so far as that all civil and criminal process issuing under the authority of this state may be executed on said land in the same way and manner as if this act had not been passed; and exclusive jurisdiction shall revert to this state whenever said land shall cease to be the property of the United States.

"SEC. 2. The land aforesaid, when acquired, shall be forever exempt from all taxes and assessments so long as the same shall remain the property of the United States. (Passed April 2, 1884. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 232.)

FORT HAMILTON.

This reservation contains an area of 155.75 acres more or less, and is situated on the southwest shore of Long Island 5½ miles south of the "Battery" of New York City, commanding the "Narrows." The title is as follows:

1. Deed from The Mayor, Aldermen, and Commonalty of the City of New York, dated May 30, 1814, conveying 60 acres 1 Rood and 6 perches of land in New Utrecht. Recorded in the Clerk's Office of Kings County, in Liber 11, page 171.

2. Deed from Julia Delaplaine, dated September 9, 1862, conveying 21 Acres 2 Roods and 25.789 perches of land in New Utrecht. Recorded in the Register's Office of Kings County, in Liber 585, page 157. Purchase made by authority of Act of Congress approved February 20, 1862. Confirmed by Act of June 23, 1874.

3. Deed from George S. Gelston and wife, dated March 24, 1852, conveying, by way of exchange, 11 Acres 3 Roods and 25 perches of land. Recorded in the Clerk's Office for Kings County, in Liber 275, page 267. Exchange made by authority of Act of Congress approved February 14, 1851.

4. Deed from the Town of New Utrecht, dated February 1, 1892, conveying all right, title, and interest in and to the Shore Road, Old County Road, Seventh Avenue, etc. Recorded in Register's Office for Kings County, Liber 2101, page 1.

5. Deed from The Dyker Meadow Land and Improvement Company, dated February 10, 1892, conveying 56.537 acres, also 8.985 acres under water. Recorded in Liber 2099, page 4, of same records.

6. Decree of Condemnation for the highways and lands described in the above conveyances from The Town of New Utrecht and the Dyker Meadow Land and Improvement Company, in the case of the United States *v.* The Dyker Meadow Land and Improvement Company and others, in the District Court of the United States for the Eastern District of New York. Decree rendered at May term, 1891,

and filed with the record of said cause in the Clerk's Office of said District Court.

7. Deed of Release from Manhattan Company of New York City, dated February 4, 1892, embracing 65.522 acres. Recorded in Liber 2099, page 13, of the deed records of the Register's Office for Kings County.

8. Deed of Release from J. Lott Nostrand, dated February 2, 1892, embracing 65.522 acres. Recorded in Liber 2099, page 10, of same records.

9. Deed of Release from Marie K. Flaherty, dated February 10, 1892, embracing 65.522 acres. Recorded in Liber 2099, page 6, of same records.

10. Release from Christian B. Morrison, dated February 18, 1863. Records of War Department. Accepted by the Secretary of War.

Jurisdiction over the lands comprising this reservation was ceded to the United States, as said lands were acquired from time to time as follows:

(1) By an Act of the State Legislature passed March 20, 1807. (See Fort Wood.)

(2) By an Act of the State Legislature passed March 18, 1808. (See Fort Wood.)

Pursuant to the authority vested in them by the Acts of March 20, 1807, and March 18, 1808, the commissioners therein provided for executed this deed conveying the title to and jurisdiction over said lands. Deed dated November 6, 1812, and recorded in the Clerk's Office of the County of Kings in Liber 10, page 395, etc., of the deed records of said county.

(3) By an Act of the State Legislature passed November 27, 1824, as follows:

"Whereas by an act of Congress of the United States of America, relative to a fortification at the Narrows, in the harbor of New York, it has become necessary and proper that a cession of jurisdiction over certain lands in the town of New Utrecht should be made to the United States: therefore,

"I. *Be it enacted, etc.*, That the jurisdiction in and over all those certain tracts of land lying in said town of New Utrecht, in the county of Kings, within this State, the first of which is described as follows: Beginning * * * containing sixty acres, one rood and six perches of land; The second of which is bounded as follows: Beginning * * * containing sixteen acres and one-half acre of land; be, and the same is hereby ceded to the United States of America, for the purpose of erecting fortifications thereon: *Provided nevertheless*, That such jurisdiction so ceded as aforesaid, shall not extend or be construed to extend, so as to impede or prevent the execution of any process of law, civil or criminal, under the authority of this State, except so far forth as such process may affect any of the real or personal property of the United States of America within the said tracts of land; and that all the lands and tenements within the limits aforesaid shall be, and continue forever hereafter, exonerated and dis-

charged from all taxes, assessments, and other charges which may be laid under the authority of this State."

(Secs. II, III, and IV provide for condemnation of the tract of 16½ acres. Passed November 27, 1824. Rev. Stats. of N. Y., Birdseye, 1901, Vol. 3, p. 3343.)

(4) By an Act of the State Legislature passed April 17, 1826, which provides as follows:

"Whereas on a resurvey of the second parcel of land mentioned and described in the said act hereby amended (above act passed Nov. 27, 1824), it has been found that the Northern boundaries of said land did not embrace all the land wanted by the United States of America for the purpose of erecting fortifications thereon in the said town (of New Utrecht): Therefore,

"I. *Be it enacted, etc.*, That the jurisdiction in and over all that certain tract or parcel of land, included within the following boundaries not heretofore, by the said act hereby amended, vested in the said United States, beginning * * * containing seventeen acres, fourteen perches and one hundred and five yards of land, be and the same is hereby ceded to the United States of America, for the purpose of erecting fortifications thereon: *Provided nevertheless*, That such jurisdiction so ceded as aforesaid, shall not extend or be construed to extend so as to impede or prevent the execution of any process of law, civil or criminal, under the authority of this State, except so far forth as such process may affect any of the real or personal property of the United States of America within the tract of land within which jurisdiction is vested as aforesaid; but that the said land shall be and continue forever hereafter exonerated and discharged from all taxes, assessments and other charges which may be laid under the authority of this State."

(Sections 2, 3 and 4 provide for condemnation of so much of the seventeen acres, fourteen perches, and one hundred and five yards of land, as are not included in the second parcel described in the act of November 27, 1824. Passed April 17, 1826.)

(5) By an Act of the State Legislature, passed April 18, 1861, which provides as follows:

"Sec. 7. Jurisdiction is also hereby ceded to the United States over so much land as may be necessary for the construction and maintenance of fortifications and their appurtenances, and over all the contiguous shores, flats, and waters within four hundred yards from low-water mark within this state, as the United States may now own or hereafter become owners of, by purchase or otherwise, not to exceed one hundred and fifty acres, the same to be selected by an authorized officer of the United States, approved by the governor, and the boundaries of the land selected, with such approval endorsed thereon, and a map thereof filed in the office of the Secretary of State, and by him recorded; *provided always*, and the assent aforesaid is granted upon this express condition, that this state shall retain a concurrent jurisdiction with the United States in and over the several tracts aforesaid, so far that all civil and such criminal process as may issue under authority of this state, against any person or persons

charged with crimes committed within the bounds of this state, may be executed therein in the same manner as though this assent had not been granted, except so far as such process may affect the real or personal property of the United States.

"The foregoing shall be applicable only to the lands selected, approved, and owned as aforesaid, and a survey thereof filed and recorded as above provided.

"For the purpose of building and maintaining thereon batteries, forts, magazines, wharves and other necessary structures, with their appendages adjacent to Fort Hamilton, Kings County, Long Island."

(Sections 8, 9, 10, 11 and 12, as amended by act of February 20, 1862, provide for acquiring title by condemnation. Rev. Stats. of N. Y., 8th ed., Vol. I., p. 194, sec. 7.)

"SEC. 13. The said property when acquired by the United States shall be and continue forever thereafter exonerated and discharged from all taxes, assessments, and other charges, which may be levied or imposed under the authority of this State; but the jurisdiction hereby ceded, and the exemption from taxation hereby granted, shall continue in respect to said property, and to each portion thereof, so long as the same shall remain the property of the United States, and be used for the purposes aforesaid, and no longer." (Passed April 18, 1861. Rev. Stats. of N. Y., 8th Ed., Vol. 1, p. 195, sec. 13.)

(6) By an Act of the State Legislature, passed February 20, 1862, which provides as follows:

"SECTION 1. The last paragraph of the seventh section of the act entitled 'An Act giving the consent of the State of New York to the purchase by and ceding jurisdiction to the United States over certain lands within this State, to be occupied as sites of Light-Houses, Keepers' Dwellings, and fortifications and their appurtenances,' passed April 18, 1861, is hereby amended so as to read as follows: For the purpose of building and maintaining thereon Batteries, Forts, Magazines, Wharfs, and other necessary structures, with their appendages, adjacent to Fort Hamilton, Kings County, Long Island, and adjacent to Fort Tompkins, in the town of Southfield, County of Richmond, Staten Island.

"SEC. 2. The eighth section of the said Act shall be amended so as to read as follows:

"In case the United States shall desire to purchase any land selected in pursuance of the first and seventh sections of said act, or either of said sections, and shall be unable to agree for the purchase of the same it shall have the right to acquire title to the same, in the manner hereinafter prescribed, provided, however, that a due regard be had to the improvements and buildings on the same, the damage if any to the adjacent lands now belonging to the same owners, and that the title be acquired before the first day of January, eighteen hundred and sixty-three."

(Section 3 provides for the qualifications of Commissioners. Passed February 20, 1862.)

Title to and jurisdiction over water-covered lands was ceded to the United States by an Act of the State Legislature passed May 7, 1880, for which see Fort Wood.

By patent from the Governor of the State of New York, dated May

26, 1880, the title to, and jurisdiction over, the premises described in the Act of May 7, 1880, were granted and conveyed to the United States subject to the terms of the said Act and the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of patents in the Office of the Secretary of State for the State of New York.

By an Act of the State Legislature passed March 27, 1893, which provides as follows:

"SECTION 1. The consent of the State of New York is hereby given to the acquisition by the United States, by purchase or by condemnation proceedings in conformity with the laws of this state, of one or more pieces of land, measuring in the aggregate not exceeding sixty acres, situate adjacent to and on the east side of the present military post of the United States at Fort Hamilton, Gravesend Bay, New York, and more particularly described as follows: [Here describes the tract by metes and bounds].

"The further consent of the state of New York is hereby given to the acquisition by the United States, by purchase or by condemnation proceedings in conformity with the laws of the state of New York, of a piece of land on Plumb Island near eastern border of Sheepshead Bay, New York, measuring fifty acres, more or less, taken from the eastern end of said island, and more particularly described as follows: [Here describes the tracts by metes and bounds]. Upon the lands so acquired near Fort Hamilton, and upon Plumb Island, the United States may erect fortifications, barracks, wharves and so forth, for the defense of the southern or main entrance to New York Harbor; and the United States shall have, hold, occupy and own the said lands when thus acquired, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to such land or lands by purchase or by condemnation in conformity with the laws of this state, nor until plats and descriptions of the land thus acquired shall have been filed in the office of the Secretary of State of the State of New York. Such jurisdiction shall continue no longer than the United States shall own such land or lands, and such consent is given and jurisdiction ceded upon the express condition that the state of New York shall retain concurrent jurisdiction with the United States in and over such land or lands so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of New York against any person or persons charged with crimes, misdemeanors, or criminal offenses committed within the state, may be executed thereon, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

"SEC. 3. So long as such land or lands thus acquired shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied or imposed under the authority of the state. If the United States can not acquire the title to any such land or lands, or any part thereof, by purchase, they may acquire such title by condemnation by legal proceedings duly instituted for the

purchase either in the state or the federal courts." (Passed March 27, 1893. Laws of N. Y., 1893, vol. 1, p. 384.)

See also General Act of Cession.

Revocable Licenses: License, June 1, 1903, to the Dyker Meadow Golf Club to use a portion of the reservation for golfing purposes.

License, March 8, 1906, to New York and New Jersey Telephone Company, for telephone system.

FORT JAY (GOVERNOR'S ISLAND).

This reservation includes the whole Island and contains an area of 65.25 acres. It is situated in New York harbor at the junction of the Hudson and East Rivers. The title is as follows:

Governor's Island came into possession of the United States as a donation by an Act of the Legislature of the State of New York passed February 15, 1800. (See Fort Wood.) Prior to the American Revolution the island was a perquisite of the Colonial Governor, who was the representative of the King of England, but after the war became the property of the Colony and then of the State of New York. Title, etc., to lands covered with water contiguous to the Island was ceded to the United States by an Act of the State Legislature, approved May 7, 1880, for which see Fort Wood. By Patent from the Governor of the State of New York, dated May 26, 1880, the title to and jurisdiction over the premises described in the Act of May 7, 1880, were granted and conveyed to the United States subject to the terms of the said Act and the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of Patents in the office of the Secretary of State for the State of New York.

Pursuant to the provisions of Acts of the State Legislature approved February 27, 1901, and March 6, 1903, the area was increased by the addition of the following tracts under water:

1. Patent from the Governor of the state, dated March 7, 1901, conveying the title to and jurisdiction over certain lands therein described. Recorded in Book of Patents No. 50, at page 386, etc., in the office of the Secretary of State for the State of New York.

2. Patent from the Governor of the state, dated June 5, 1903, conveying title to and jurisdiction over certain land therein described. Recorded in Liber 50 of Patents, at page 389, same records. See also General Act of Cession.

Revocable Licenses: License, April 25, 1900, to Young Men's Christian Association of the city of New York to erect a one-story wooden building on the reservation.

License, March 30, 1905, to Corporation of Trinity Church to erect and maintain a new chapel. Chaplain provided by vestry of Trinity Church, authorized by Secretary of War under date of August 11, 1868, to occupy public quarters.

License, June 26, 1906, to New York Telephone Co. for telephone system on reservation.

FORT LAFAYETTE.

This reservation contains an area of about 2 acres of land with water rights. It is situated in New York Harbor, about 6 miles from Brooklyn, and commands, in part, the "Narrows." The title is as follows:

Title to and jurisdiction over the above lands ceded by acts of the State Legislature passed March 20, 1807, and March 18, 1808, for which see Fort Wood. Pursuant to the authority vested in them by the above cited acts, the Commissioners therein provided for executed their deed conveying title to and jurisdiction over said lands. Deed dated November 6, 1812, and recorded in the Clerk's Office of the County of Kings in Liber 10, page 395, etc., of the deed records of said County. (This deed embraces 30 acres 2 roods and 30 perches.) Title to jurisdiction over water-covered lands was ceded to the United States by an Act of the State Legislature passed May 7, 1880, for which see Fort Wood.

By Patent from Governor of the State of New York, dated May 26, 1880, the title to and jurisdiction over the premises described in the Act of May 7, 1880, were granted and conveyed to the United States subject to the terms of the said Act and the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of patents in the office of the Secretary of State for the State of New York.

See also General Act of Cession.

MADISON BARRACKS (POST).

This reservation contains an area of about 90 acres and is situated on the South shore of Black River Bay, about 10 miles from Lake Ontario, adjoining the town of Sackett's Harbor in Jefferson County. The reservation purchased at various dates from 1813 to 1817 aggregated 39.25 acres, which was diminished by sales, etc., to 34.50 acres. Under authority of an Act of Congress approved March 2, 1889, amended by Act approved February 24, 1891, an addition of 52 acres was purchased. Additional land afterwards secured for a pumping station and right of way for water main. The title is as follows:

1. Deed from Samuel F. Hooker, dated July 1, 1813, conveying one-quarter of an acre and 11 poles of land. Recorded in Liber F, page 48, of the deed records of Jefferson County.
2. Deed from Edward Lee and wife, dated December 1, 1814, conveying 1,440 square feet of land. Recorded in same office.
3. Deed from Cornelius Ray et al., dated April 3, 1815, conveying Lot 3, containing 12,000 square feet of land. Recorded in same office.
4. Deed from Edmund Luff and wife, dated May 4, 1816, conveying two tracts by metes and bounds. Recorded in same office.
5. Deed from Thomas Ludlow Ogden, Trustee, etc., dated October 5, 1816, conveying 22 acres of land. Recorded in Book I, page 204, etc., of same records.
6. Deed from Thomas Ludlow Ogden, Trustee, etc., dated March 28, 1817, conveying 10 acres of land. Recorded in Book K, page 15, etc., of same records.
7. Deed from Mary T. Mallaby et al., dated August 31, 1891, conveying undivided one-half of 1 acre, etc. Recorded in Book 265, page 304, of same records.

8. Quitclaim deed from Col. R. I. Dodge, dated September 3, 1891, conveying several tracts embraced in seven several deeds executed to him as agent for the United States. Recorded in Book 265, page 173, of same records. The deeds to said Col. R. I. Dodge recorded in Book 265, page 169; Book 265, page 171; Book 264, page 317; Book 264, page 318; Book 264, page 319; Book 264, page 320, and Book 264, page 321, of same records.

9. Deed from Ellen Stratton and husband, dated December 29, 1891, conveying a strip containing 18,000 square feet of land. Recorded in Liber 266, page 302, of same records.

10. Deed from James C. Heath and wife, dated December 29, 1891, conveying 8 acres and a strip by the military road near Madison Barracks, both described by metes and bounds. Recorded in Liber 266, page 301, of same records.

11. Deed from John Hamilton and wife, dated September 14, 1891, conveying two tracts described by metes and bounds. Recorded in Liber 266, page 300, of same records.

12. Deed from Charles G. Gilmore and wife, dated February 23, 1893, conveying a site for Pumping Station. Recorded in Liber 272, page 135, of same records.

13. Deed from William McLaughlin and wife, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 549, of same records.

14. Deed from S. D. Lord and wife, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 548, of same records.

15. Deed from Caroline McClary and husband, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 552, of same records.

16. Deed from Dexter M. Dibble and wife, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 542, of same records.

17. Deed from Abbie Metcalf, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 544, of same records.

18. Deed from Amanda M. Read and husband, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 545, of same records.

19. Deed from David McKee, dated March 25, 1893, conveying right of way for water main. Recorded in Liber 271, page 547, of same records.

20. Deed from Margaret Eveleigh and husband, dated March 27, 1893, conveying right of way for water main. Recorded in Liber 271, page 543, of same records.

21. Deed from Henry J. Lane and wife, dated March 27, 1893, conveying right of way for water main. Recorded in Liber 271, page 546, of same records.

22. Deed from Charles W. Sloat et al., dated March 29, 1893, conveying right of way for water main. Recorded in Liber 271, page 541, of same records.

23. Deed from Alice C. M. Hewke and husband, dated March 29, 1893, conveying right of way for water main. Recorded in Liber 271, page 540, of same records.

24. Deed from Enetta A. Lewis, et al., Administrators, etc., dated April 1, 1893, conveying right of way for water main. Recorded in Liber 271, page 551, of same records.

25. Deed from Charles G. Gilmore and wife, dated April 6, 1893, conveying right of way for water main. Recorded in Liber 271, page 550, of same records.

26. Deed from William Stokes, dated April 7, 1893, conveying right of way for water main. Recorded in Liber 271, page 539, of same records.

27. Deed from Ellen Fralick and husband, dated April 14, 1893, conveying right of way for water main. Recorded in Liber 271, page 555, of same records.

28. Deed from Abel H. Bowe and wife, dated April 15, 1893, conveying right of way for water main. Recorded in Liber 272, page 135, of same records.

29. Deed from John Parker and wife, dated April 17, 1893, conveying right of way for water main. Recorded in Liber 272, page 137, of same records.

30. Deed from Mary A. Mason, dated April 17, 1893, conveying right of way for water main. Recorded in Liber 271, page 136, of same records.

31. Deed from Charles W. Sloat, et al., dated April 19, 1893, conveying right of way for water main. Recorded in Liber 271, page 553, of same records.

32. Deed from Walter B. Camp, Sur. Executor, etc., dated April 27, 1893, conveying right of way for water main. Recorded in Liber 271, page 554, of same records.

33. Deed from Frederick R. Farwell, et al., dated May 6, 1893, conveying right of way for water main. Recorded in Liber 271, page 538, of same records.

Jurisdiction was ceded to the United States by Acts of the State Legislature passed March 7, 1846, and May 12, 1892, which acts provide as follows:

"SECTION 1. The consent of the State of New York is hereby given to the purchase by the United States of such lots of ground and tracts of land in or near the City of Buffalo, at or near the mouth of Genesee River, and at or near Sacketts Harbor, and also to the purchase of such island or islands in the river St. Lawrence between St. Regis and the Thousand Islands as the authorities or Government of the United States may select for the site of fortifications or defensive works at the points above designated, and the United States may have, hold, use, occupy, and own said lots of land and such island or islands and exercise jurisdiction and control over the same subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction of the State of New York in and over the said lands and island or islands mentioned in the last section shall be and the same is hereby ceded to the United States for the purpose of erecting fortifications and defensive works thereon.

"SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States in and over the said tracts of land and island or islands so far as that all civil process in all cases and such criminal process as may issue under the laws or authority of the State of New York against any person or persons

charged with crimes committed without said tracts of land and island or islands may be executed thereon in the same way and manner as if such consent had not been given or jurisdiction ceded except so far as such process may affect the real or personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest in respect to any or either of such lots of land or islands until the United States shall have acquired title to the same either by purchase or in the manner hereinafter prescribed.

"SEC. 5. If the United States can not acquire the title to the said tracts of land and islands, or either of them by purchase the same may be taken and the damages may be ascertained and paid in the manner prescribed in the fourth article of the second title of chapter nine of the third part of the Revised Statutes and the same proceedings shall be had in all respects as are prescribed in the said article.

"SEC. 6. The said tracts of land and island or islands, when acquired by the United States by purchase or by proceedings under the last section shall be and continue forever thereafter exonerated and discharged from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State, but the jurisdiction hereby ceded and the exemption from taxation hereby granted shall continue in respect to said tracts of land or island or islands respectively so long as the same shall remain the property of the United States and no longer." (Passed March 7, 1846. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 174.)

"SECTION 1. Consent is hereby given to the government of the United States of America to purchase and acquire such lands in the village of Sackett's Harbor, county of Jefferson, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings as it may deem necessary and on the property now owned or hereafter acquired under this act to which it has obtained title. The jurisdiction over the same shall vest in the said United States, but the jurisdiction hereby granted shall not impede or prevent the execution of any legal process, civil or criminal, issued under the authority of this State, except such as may affect the real or personal property of said United States.

"SEC. 2. The jurisdiction hereby granted shall cease whenever the said United States shall cease to occupy the said lands for the purposes aforesaid; but during such occupation, and no longer, said lands shall be exempt from all taxes and assessments or other charges under the authority of this State." (Approved May 12, 1892. Laws of N. Y., 1892, ch. 505.)

To enable the United States to acquire the right of water supply for Madison Barracks and to cede the jurisdiction over such franchise to the United States the following act of the State Legislature was passed April 3, 1893:

"SECTION 1. Consent is hereby given to the government of the United States of America to purchase and acquire the right of way in the village of Sackett's Harbor, or town of Hounsefield, county of Jefferson, to carry water through pipes from the waters of Lake Ontario and Henderson Bay to Madison Barracks, for the water supply at that point of the military post of the United States, and to acquire the title of lands necessary for that purpose, or the right of way only. And the State of New York hereby cedes to the United

States the right to lay such pipes under and along the highways of said state, provided the same are restored to as good condition as the same were in before such pipes were laid, and to enter upon said highway and keep the said pipes in repair, upon the same condition, and hereby concedes jurisdiction to the said United States over the lands and franchises which the United States has acquired for the purpose of such water supply, or may acquire pursuant to this act.

"SEC. 2. In case the United States can not agree for the purchase thereof with the owners of such lands and franchises as it may need for the purposes aforesaid, the Secretary of War of the United States, or such officer as he may appoint for that purpose, or any officer of the United States authorized by the government of the United States so to do, may proceed to obtain the said lands and franchises according to the condemnation laws of this state." (Laws of N. Y., 1893, Vol. 1, p. 494, ch. 261.)

See also General Act of Cession.

Revocable licenses: License, August 27, 1903, to Black River Telephone Company to construct, operate and maintain its telephone line on the reservation.

License, October 9, 1906, to Central New York Telephone and Telegraph Company for telephone system.

MADISON BARRACKS (STONY POINT TARGET RANGE).

This reservation contains an area of 805.91 acres, with a water lot of one-fourth of an acre, and was acquired under authority of an act of Congress approved August 6, 1894. It is situated at Stoney Point, about 16 miles from Sackett's Harbor. Located for the use of Madison Barracks. The title is as follows:

1. Deed from Emily D. Wood, dated May 20, 1895, conveying 78 acres of land. Recorded in Liber 279, page 352, of the deed records of Jefferson County.

2. Deed from Peter Worthingham and wife, dated May 21, 1895, conveying 87.90 acres. Recorded in Liber 279, page 355, of same records.

3. Deed from Birdsall Boyce and wife, et al., dated May 21, 1895, conveying 13.80 acres. Recorded in Liber 279, page 357, of same records.

4. Deed from George H. Warner and wife, dated May 21, 1895, conveying 169 acres. Recorded in Liber 279, page 354, of same records.

5. Deed from Halsey L. Irwin and wife, dated May 21, 1895, conveying 44.11 acres. Recorded in Liber 280, page 73, of same records.

6. Deed from Asa W. Carter and wife, dated May 21, 1895, conveying 5 acres. Recorded in Liber 279, page 358, of same records.

7. Deed from Lovilow Jackson, dated May 21, 1895, conveying 11.25 acres. Recorded in Liber 280, page 72, of same records.

8. Deed from Payson F. Thompson and wife, dated May 22, 1895, conveying 6 acres. Recorded in Liber 279, page 359, of same records.

9. Deed from Ezra J. Clark and wife, dated May 20, 1895, conveying 6 acres. Recorded in Liber 280, page 77, of same records.

10. Deed from Heirs of Horace Clark, dated May 20, 1895, conveying above 6 acres. Recorded in Liber 280, page 75, of same records.

11. Deed from Heirs of Greene Clark, dated May 20, 1895, conveying above 6 acres. Recorded in Liber 280, page 76, of same records.

12. Deed from Hulburt Ingraham and wife, dated May 23, 1895, conveying 3 acres. Recorded in Liber 279, page 353, of same records.

13. Deed from Payson F. Thompson and wife, dated May 22, 1895, conveying 138.50 acres. Recorded in Liber 280, page 71, of same records.

14. Deed from F. A. Kilby and wife, et al., dated May 21, 1895, conveying 90.60 acres. Recorded in Liber 279, page 360, of same records.

15. Deed from Heirs of Nathan Foreman, dated May 22, 1895, conveying 4.50 acres. Recorded in Liber 280, page 74, of same records.

16. Deed from James L. McCumber and wife, dated May 21, 1895, conveying 154.25 acres. Recorded in Liber 280, page 71, of same records.

For jurisdiction see General Act of Cession.

FORT MICHIE.

This reservation contains about 19 acres, and includes the islands called Great and Little Gull. They are situated in Long Island Sound, about 3 miles east northeast from Plum Island, in Suffolk County. Little Gull Island lies about half a mile east northeasterly from Great Gull Island. The title is as follows:

Deed from Benjamin Jerom, dated January 26, 1803, conveying said Islands "the same being intended for the erection of a Light-House and its accommodations." Recorded in Liber C, —, page 410, of the deed records of Suffolk County, February 22, 1803. Transferred by the Treasury Department to the War Department September 18, 1896, for purposes of national defense.

Jurisdiction was ceded to the United States by an Act of the State Legislature, passed March 26, 1803, which reads as follows:

"Whereas the United States have purchased the Islands hereinafter mentioned for the purpose of erecting a Light-House on one of them; and

"Whereas it is meet and proper that the jurisdiction of this State in and over the said Islands should be made to the United States, under certain limitations, for the purpose aforesaid: Therefore,

Be it enacted by the people of the State of New York, represented in Senate and Assembly, That the jurisdiction in and over all those two certain islands, situate in the County of Suffolk, commonly known by the names of Great Gull Island and Little Gull Island, bounded on all sides by the waters of the East River, shall be and hereby is ceded to the United States of America: *Provided, nevertheless*, That such jurisdiction, so ceded as aforesaid, shall not extend or be construed to extend so as to impede or prevent the execution of any process, Civil or Criminal, under the authority of this State, except so far forth as such process may affect any of the real or personal property of the United States within the said Islands." (See Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 153, sec. 4.)

See also General Act of Cession.

FORT MONTGOMERY.

This reservation contains about 600 acres of land and is situated north of and adjoining the village of Rouse's Point, on the western bank of Lake Champlain and near its outlet, in Clinton County. The title is as follows:

1. Deed from DeWitt Clinton, Governor of New York, dated October 17, 1817, conveying Lots 61, 62, 63, 64, 65 and 66 of the "Refugee tract," aggregating 480 acres. Recorded in Liber F, page 9, etc., of the deed records of Clinton County.

2. Deed from John Warford and wife, dated November 18, 1817, conveying 9 acres 3 roods and 5 poles of land. Recorded in Liber F, page 13, etc., of same records.

3. Patent from the State of New York, dated May 15, 1818, conveying an Island in Lake Champlain near Rouse's Point; also land under water opposite Lots 61 to 66, inclusive. Recorded in Liber F, page 112, etc., of same records.

Jurisdiction ceded to the United States by acts of the State Legislature passed March 31, 1815, April 21, 1818, and April 21, 1840, which provide as follows:

"I. *Be it enacted, etc.*, That the person administering the government of this State, the lieutenant-governor, the Chancellor, the chief justice of the supreme court, the secretary of state, the attorney-general, and the surveyor general, for the time being be, and they are hereby, appointed commissioners, with full power to them, or any four of them, whereof the person administering the government of this State, for the time being, shall always be one in their discretion, as they shall judge the safety and defence of the northern and western frontiers of this State to require, and in such manner and form as they shall judge necessary and proper, to declare the consent of the legislature of this State that such parcels of land as shall be purchased by the government of the United States, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings in the several counties of this State adjacent to the northern and western bounds thereof, and which they shall, from time to time, judge necessary for the purposes aforesaid, shall be subject to the jurisdiction of the United States, and thereupon the jurisdiction of the said lands shall be vested in the United States: *Provided, however*, That such cession or cessions shall not exceed five hundred acres, in any one of the said counties: *And provided further*, That such cession or cessions shall not in any case extend, or be deemed or construed to prevent the execution of any process, civil or criminal, under the authority of this State.

"II. *And be it further enacted*, That the powers vested in the Commissioners constituted by the act, entitled 'An act to cede the jurisdiction of certain lands in this State, to the United States,' passed March 20, 1807, be, and they are hereby extended to lands in the county of Westchester, and to lands covered with water within the bounds of said County: *Provided*, That cessions to be made by the Commissioners in the said act authorized and appointed shall be of such lands only as in their opinion shall be necessary for the defence and safety of the city and port of New York.

"III. *And be it further enacted*, That such declaration or declarations of the consent of the legislature of this State shall, in all cases, explicitly define, by accurate metes and bounds, the situation of the lands, the jurisdiction whereof shall be ceded in virtue of this act, which description shall be filed in the office of the Secretary of this State, and such declaration or declarations may, in addition to the restrictions and limitations prescribed by this act and the act above referred to, contain such other limitations, restrictions and qualifications as the said Commissioners respectively may deem expedient." (Passed March 31, 1815. See Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 160, sec. 13.)

"I. *Be it enacted, etc.*, That the commissioners of the land office of this State, be and they are hereby authorized and required to cede to the United States, the title and jurisdiction of this State to so much land on the Galloo island on lake Ontario, within this State, as they shall deem necessary for the purpose of erecting a light house thereon: *Provided always*, That the tract of land so granted shall not exceed five acres: *And provided further*, That such cession shall not impede or prevent the execution of any process at law under the authority of this State, except against the real or personal property of the government of the United States.

"II. *And be it further enacted*, That the property so ceded shall be, and hereafter is exonerated and discharged from any taxes which may be laid or imposed under the authority of the government of this State, while said lands shall remain the property of the Government of the United States, and while the same shall be appropriated to the purposes intended by this act, and not otherwise.

* * * * * * *

"VIII. *And be it further enacted*, That the Commissioners of the land office of this State be, and they are hereby authorized and required to cede to the United States the title and jurisdiction of this State to the small island near Rouse's point, on lake Champlain, called Island Point; also to the land under water opposite the same; also to the land under water in the said lake, opposite to lots number sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five and sixty-six, adjoining the said Rouse's point, the title and jurisdiction of this State to which lots have heretofore been ceded to the United States; subject, however, to the like provisions and restrictions as are contained in the first and second sections of this act." (Passed April 21, 1818. See Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 160, sec. 14.)

Subsequent to the passage of the act of the State Legislature of April 21, 1818, the Commissioners appointed by the act of March 31, 1815, conveyed title to and ceded jurisdiction over the lands heretofore conveyed to the United States. Deed of cession recorded in Liber F, page 109, etc., of the deed records of Clinton County.

See also General Act of Cession.

Lease: Lease for five years, May 3, 1900, to the Champlain and Saint Lawrence Railroad Company to occupy for the purpose of right of way a strip of land 100 feet in width and about 5,900 feet in length across the reservation, pursuant to authority of Acts of Congress, approved March 1, 1893, and July 28, 1892.

Revocable Licenses: License, October 7, 1892, to John R. Myers, President of Village of Rouse's Point, to erect a pest house on that portion of reservation assigned for that purpose to the Marine Hospital Service in 1885.

License, July 15, 1901, to John R. Myers to lay out a golf course on the reservation.

License, July 13, 1902, to James W. Callopy to construct and use a small wharf projecting from the reservation.

License, June 30, 1906, to Delaware and Hudson Co. for railroad track.

FORT NEWTON.

On Staten Island at Fort Wadsworth.

NEW YORK ARSENAL.

On Governor's Island. See Fort Jay.

FORT NIAGARA.

This reservation contains an area of 288.50 acres, and is situated on the Niagara River at its junction with Lake Ontario, 14 miles below Niagara Falls, 7 miles from Lewiston, in Niagara County. The title is as follows:

1. Act of the State Legislature passed April 21, 1840, authorizing conveyance of title and cession of jurisdiction. See Infra; also Fort Montgomery.

2. Patent from the Governor of New York, dated July 8, 1841, conveying above site and ceding jurisdiction in accordance with the Act of April 21, 1840. Recorded in Book of Patents, No. 25, page 630, in the Office of the Secretary of State for the State of New York.

"SECTION 1. The commissioners of the land-office are hereby authorized to cede and convey to the United States of America the title of this state to the lands belonging to this state situate in the south village of Black Rock, between Lake street or Broadway and the easterly line of the Buffalo and Black Rock railroad, in said south village of Black Rock, or so much thereof as may be required by the United States of America, and necessary for the purpose of erecting and establishing a fort, battery, barracks, parade ground or military post; and also to the lands covered by Fort Niagara, and such others adjacent thereto as shall be necessary for the accommodation of that post.

"SEC. 2. The jurisdiction over such lands as shall be conveyed by virtue of the first section of this act, and such other lands adjacent as shall be purchased by the United States for the purpose mentioned in said first section; and over such lands as shall be purchased by the United States, and as are necessary as a site for a fort near the outlet of Lake Champlain, from and after the conveyance of such lands, and upon the execution thereof, shall be ceded to and vest in

the United States of America. But such jurisdiction shall not impede the execution of any process, civil or criminal, issued under the authority of this state, except so far as such process may affect the real or personal property of the United States within the ceded territory.

"SEC. 3. The property over which jurisdiction is granted, by the second section of this act, shall be exonerated and discharged from all taxes and assessments which may be levied or imposed under the authority of this state, while the said lands shall remain the property of the United States, and shall be used for the purpose intended by this act, and not otherwise.

"SEC. 4. Whenever the United States shall cease to occupy the said land, or any part thereof, for the purpose mentioned in the first section of this act, then said lands shall revert to the people of this state." (Passed April 21, 1840. Rev. Stats. of N. Y., 8th ed. Vol. 1, p. 172.)

(See Appendix, page 428.)

See also General Act of Cession.

Revocable Licenses: License, September 4, 1889, to the light keeper at Fort Niagara to tap the water main opposite the light house dwelling to furnish water for domestic purposes.

License, July 21, 1892, to the Treasury Department to locate a life-saving station on the reservation.

License, October 22, 1894, to the Treasury Department to extend the launchway in front of the life-saving station thirty feet into deeper water and to erect a look-out house in the southwesterly bastion of the fort.

License, February 2, 1897, to the Lewiston and Youngstown Frontier Railway Company to extend its tracks upon the reservation.

License, November 18, 1897, to the Treasury Department to construct a boat-house upon the reservation.

License, June 3, 1903, to the Treasury Department to move the life-saving station about 250 feet to the westward of its former location and to construct a boat-house and launchway.

FORT ONTARIO.

This reservation contains an area of about 76 acres, and is situated on the Oswego River, at its junction with Lake Ontario, adjoining the City of Oswego, in Oswego County. The title is as follows:

Letters Patent from the Governor of the State of New York, dated August 15, 1839, conveying title to and jurisdiction over the lands embraced in said reservation by virtue of the authority given by an Act of the State Legislature passed April 25, 1839, which provides as follows:

"SECTION 1. The commissioners of the land office are hereby authorized to convey to the United States of America, the title of this state to all that parcel of land lying near the mouth of the Oswego river in Oswego county, known as the old fort, military and parade ground, containing fifty-four acres, be the same more or less, or so

much thereof as may be required by the United States for the purpose of reestablishing the military post, of rebuilding the fort, redoubts, and barracks, and of improving the parade ground.

"SEC. 2. The jurisdiction over such land as may be conveyed by virtue of the first section of this act, from and after such conveyance, shall be ceded to the United States of America, for the purposes for which such lands shall have been conveyed; such jurisdiction shall not be construed so as to prevent or impede the execution of any process, civil or criminal, under the authority of this state, except so far as such process may affect the real or personal property of the United States within the said parcel of land.

"SEC. 3. The property so ceded shall be exonerated and discharged from any taxes which may be imposed under the authority of this state while the said land shall remain the property of the United States, and while the same shall be appropriated to the purposes intended by this act and not otherwise.

"SEC. 4. Whenever the United States shall cease to occupy the aforesaid mentioned land for the purposes mentioned in the first section of this act, then said land shall revert to the people of this state." (Passed April 25, 1839. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 171.)

See also General Act of Cession.

Easements: Joint Resolution of Congress, approved February 19, 1869, granted to the New York, Ontario and Western Railway Company (successor to the New York and Oswego Midland Company) a right of way through the reservation. Licenses under above authority, November 8, 1881 and January 11, 1882.

Act of Congress, approved March 3, 1901 (31 Stat. L., 1086), granted to the Oswego and Rome Railroad Company the right to operate and maintain a line of railroad through the reservation.

Revocable Licenses: License (in form of agreement), August 5, 1852, to the city of Oswego to make certain improvements upon the land under water lying in front of the reservation, by excavation, and by building wharves, docks and slips to a height not exceeding the existing government pier at Oswego.

Licenses, May 27, 1854 and March 3, 1857, to the city of Oswego to use certain government property at Oswego.

License (in form of agreement) April 14, 1858, to the city of Oswego to erect wooden storehouses upon the wharves erected by said city, and to use the United States dock and a small lot adjacent thereto.

License, December 30, 1896, to the city of Oswego to construct and maintain a surface drain on the reservation.

License, January 11, 1904, to the New York, Ontario and Western Railway Company to construct, maintain and operate a line of railway across the reservation.

License, January 18, 1906, to the Ontario Telephone Company, for telephone system.

License, July 16, 1906, to New York, Ontario and Western Ry. Co. for railroad track.

PLATTSBURG BARRACKS.

This reservation contains an area of 679.35 acres, and is situated on the west shore of Lake Champlain, at the town of Plattsburg, in Clinton County. The original reservation, comprising about 210 acres, was purchased about December 30, 1814, which was diminished by various grants to about 173 acres. Additional lands (506.35 acres) were acquired under act of Congress approved February 16, 1891. The title to the original reservation is as follows:

1. Deed from Pliny Moore and wife and Levi Platt and wife, dated December 30, 1814, conveying 200 acres of land. Recorded in Liber M. R. T., page 101, etc., of the records of deeds in the Secretary's Office for the State of New York. For jurisdiction over this portion of the reservation see Fort Montgomery for act of March 31, 1815. The records do not show that the Commissioners executed the deed provided for in said act. The title to the addition to the reservation is as follows:

2. Deed from William P. Mooers and wife, dated August 24, 1891, conveying 40 acres of land, known as "Crab Island." Recorded in Vol. 88, page 420, of the deed records of Clinton County.

3. Deed from Patrick Flannigan and wife, dated August 27, 1891, conveying 8.66 acres of land. Recorded in Vol. 88, page 423, of same records.

4. Deed from Hugh Flannigan and wife, dated August 27, 1891, conveying 61 acres of land. Recorded in Vol. 88, page 424, of same records.

5. Deed from Oliver Sharron and wife, dated August 27, 1891, conveying 40.57 acres of land. Recorded in Vol. 88, page 425, of same records.

6. Deed from John Rice, et al., dated August 28, 1891, conveying 10.32 acres of land. Recorded in Vol. 88, page 945, etc., of same records.

7. Deed from Leonard J. Howard, et al., dated September 2, 1891, conveying the undivided five-sixths of 66.70 acres of land. Recorded in Vol. 88, page 953, etc., of same records.

8. Deed from David F. Dobie, Guardian, etc., dated September 21, 1891, conveying the undivided one-sixth of 66.70 acres of land. Recorded in Vol. 88, page 955, etc., of same records.

9. Deed from William W. Hartwell and wife, dated September 25, 1891, conveying 4.52 acres of land. Recorded in Vol. 88, page 426, of same records.

10. Deed from William W. Hartwell and wife, dated October 1, 1891, conveying 138.10 acres of land. Recorded in Vol. 88, page 428, of same records.

11. Deed from Charles Thomas and wife, dated October 1, 1891, conveying 8.55 acres of land. Recorded in Vol. 88, page 422, of same records.

12. Decree of Condemnation for 6.10 acres of land in case of the United States, etc., *v.* Gervis G. Decora et al., in the United States District Court for the Northern District of New York. Rendered October 12, 1891, and filed with the record in said cause in the Clerk's Office of said Court.

13. Deed from John Dallaghan and wife, dated October 20, 1891, conveying 14.60 acres of land. Recorded in Vol. 88, page 947, of the deed records of Clinton County.

14. Deed from Eliza A. Carter and husband, dated November 28, 1891, conveying 32 acres of land. Recorded in Vol. 88, page 421, of same records.

15. Decree of Condemnation for 1.34 acres of land in the case of the United States *v.* Margaret Palmer et al., in the United States District Court for the Northern District of New York. Rendered February 9, 1892, and filed with the record in said cause in the Clerk's Office of said District Court.

16. Deed from Martha E. Bromley, dated September 30, 1891, conveying 79.21 acres of land. Recorded in Vol. 88, page 427, of the deed records of Clinton County.

17. Deed from Martha E. Bromley, dated April 7, 1892, conveying 79.21 acres of land (to correct error in deed of September 30, 1891). Recorded in Vol. 89, page 601, of same records.

Jurisdiction over the addition to the reservation was ceded to the United States by an Act of the State Legislature passed March 6, 1890, which provides as follows:

"SECTION 1. The consent of the State of New York is hereby given to the United States to acquire, by condemnation, purchase or gift, in conformity with the laws of this State, one or more pieces of land in the town of Plattsburgh, county of Clinton and State of New York, not to exceed in all one thousand acres, for military purposes for use as a parade ground, or for any military purposes connected with the United States military post at Plattsburgh, and the said United States shall have, hold, occupy and own said lands when thus acquired, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction of the State of New York in and over the said land or lands mentioned in the foregoing section, when acquired by the United States, shall be, and the same hereby is, ceded to the United States, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said lands.

"SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the State of New York shall retain concurrent jurisdiction with the United States in and over the said land or lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the State of New York against any person or persons charged with crimes or misdemeanors committed within said State, may be executed therein the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may effect the real or personal property of the United States.

"SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land or lands, by gift, purchase or by condemnation, in conformity with the laws of this State, and so long as the said land or lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of this State." (Laws of N. Y., 1890, p. 27.)

See also General Act of Cession.

Easements: Act of Congress, approved May 20, 1868, granted to the Whitehall and Plattsburg Railroad Company a right of way across the reservation. The location selected under above authority was relinquished July 6, 1894, and a new location designated by license of same date to the successors of above company.

Act of Congress, approved June 8, 1872, as amended by Act approved March 3, 1873, authorized the Secretary of War to release a right of way across the reservation to the New York and Canada Railroad Company. Release under above authority, December 14, 1874.

Act of Congress, approved June 30, 1879, authorized the Secretary of War to release to the State of New York for railroad purposes a right of way not exceeding six rods in width and also a parcel in the northwest corner of the reservation for a depot; the Secretary of War was also authorized to lay out and continue Hamilton Street across the reservation to the depot site, and sell the small tract of land north of Hamilton Street extended. Release under above authority, July 12, 1879. The location selected under above authority was relinquished July 6, 1894, and a new location designated by license of same date.

Act of Congress, approved March 28, 1882, authorized the Secretary of War to release to the Chateaugay Railroad Company a right of way not exceeding four rods in width across the reservation. Release under above authority June 7, 1882.

Revocable Licenses: License, July 6, 1894, to the Delaware and Hudson Canal Company and the Chateaugay Railroad Company to use for railway purposes a strip of land twenty five feet in width upon the reservation, etc.

License, July 30, 1894, to the Chateaugay Railroad Company containing additional privileges.

License, March 27, 1896, to the Plattsburg Traction Company to construct, maintain and operate a single track electric street railroad on the reservation.

License, August 17, 1903, to the Delaware and Hudson Company to reconstruct the bridge over its tracks on the reservation.

Licenses, November 28, 1905, to the Hudson River Telephone Company and the Clinton Telephone Company, to operate and maintain their existing telephone systems.

PLUMB ISLAND (KINGS COUNTY).

This reservation contains an area of 50 acres, and is situated near the eastern border of Sheepshead Bay, being part of the east end of Plumb Island, in the town of Gravesend, in Kings County. The land was acquired under the provisions of an Act of Congress approved August 18, 1890. The title is as follows:

1. Decree of condemnation for 50 acres of land in the case of the United States *v.* George H. Engeman, Trustee, etc., et al., in the United States District Court for the Eastern District of New York. Rendered July 7, 1891, and filed with the record in the Clerk's Office of said District Court.

2. Deed from George H. Engeman, Trustee, etc., et al., dated September 17, 1891, conveying the above lands by metes and bounds. Recorded in Liber 2068, page 245, of the deed records of Kings County.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 27, 1893, which provides as follows:

"SECTION 1. The consent of the State of New York is hereby given to the acquisition by the United States, by purchase or by condemnation proceedings in conformity with the laws of this State, of one or more pieces of land, measuring in the aggregate not exceeding sixty acres, situated adjacent to and on the east side of the present military post of the United States at Fort Hamilton, Gravesend Bay, New York, and more particularly described as follows: [Here describes the land by metes and bounds.] The further consent of the State of New York is hereby given to the acquisition by the United States, by purchase or by condemnation proceedings in conformity with the laws of the State of New York, of a piece of land on Plumb Island, near eastern border of Sheepshead Bay, New York, measuring fifty acres, more or less, taken from the eastern end of said Island, and more particularly described as follows: [Here describes the lands by metes and bounds.] Upon the said lands so acquired near Fort Hamilton, and upon Plumb Island, the United States may erect fortifications, barracks, wharves and so forth, for the defence of the southern or main entrance to New York Harbor; and the United States shall have, hold, occupy, and own the said lands when thus acquired, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to such land or lands by purchase or by condemnation in conformity with the laws of this State, nor until plats and descriptions of the land thus acquired shall have been filed in the office of the Secretary of State of the State of New York. Such jurisdiction shall continue no longer than the United States shall own such land or lands, and such consent is given and jurisdiction ceded upon the express condition that the State of New York shall retain concurrent jurisdiction with the United States in and over such land or lands so far as that all civil processes in all cases, and such criminal or other process as may issue under the laws or authority of the State of New York against any person or persons charged with crimes, misdemeanors, or criminal offenses committed with the State, may be executed thereon, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

"SEC. 3. So long as such land or lands thus acquired shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied or imposed under the authority of the State. If the United States can not acquire title to any such land or lands, or any part thereof, by purchase, they may acquire such title by condemnation by legal proceedings duly instituted for the purchase either in the State or the federal courts." (Laws of N. Y., 1893, Vol. 1, p. 384.)

See also General Act of Cession.

FORT PORTER.

This reservation contains an area of 28.50 acres of land, and is situated on the Niagara River, within the limits of the City of Buffalo, in Erie County. The title is as follows:

1. Deed from Matthias Bruen, dated August 3, 1842, conveying the North third part of Block 167, in the village of Black Rock. Recorded in Liber 68, page 67, etc., of the deed records of Erie County.

2. Deed from Samuel K. Kip, Master in Chancery, dated May 21, 1842, conveying the southerly and middle third parts of Block 167, in the village of Black Rock. Recorded in Liber 61, page 379, of same records.

3. Deed of release from Emily B. McKay, dated August 1, 1842, conveying right of dower, etc., in Block 167, above conveyed. Recorded in Liber 68, page 58, of same records.

4. Quit-Claim Deed from Ebenezer Walden and wife, dated August 1, 1842, conveying all interest in above Block 167, etc. Recorded in Liber 68, page 38, of same records.

5. Deed from Christian Miller and wife, et al., dated April 15, 1842, conveying Block No. 168, in the village of Black Rock. Recorded in Liber 68, page 38, of same records.

6. Decree of condemnation for Block 186, in the village of Black Rock, in the case of the United States *v.* Peter B. Porter et al., in a court of Chancery held for the State of New York, at Saratoga, August 5, 1842. Rendered on said date and filed with the record in the Register's Office of said Court, and recorded January 4, 1843.

Title to a portion of the lands acquired by deed and jurisdiction over all was ceded to the United States by Acts of the State Legislature passed April 21, 1840; February 28, 1842; April 12, 1842, and February 9, 1844, as follows:

(For Act of April 21, 1840, see Fort Montgomery.)

"SECTION 1. The commissioners of the land office are hereby authorized to cede to the United States of America the title of this state to the point of land belonging to this state, situate in the south village of Black Rock, lying north of block one hundred and thirty-three (133) and between the Erie canal and Black Rock harbor, provided the same may be required by the United States for military purposes; reserving a free and uninterrupted use and control in the canal commissioners of all that may be necessary for canal and harbor purposes.

"SEC. 2. The jurisdiction over such lands as may be conveyed by virtue of the first section of this act, and such other lands as shall be purchased by the United States for the purpose of erecting a fort, battery or other military works thereon, adjacent to, or in the vicinity of the lands owned by the United States, and occupied by the light-house in the city of Buffalo, shall be ceded to and vested in the United States; subject to such conditions and restrictions as are imposed, by the act hereby amended." (Passed February 28, 1842. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 172.)

"SECTION 1. The consent of the legislature of this state is hereby given to the United States taking for the site of barracks and defensive works at or near Buffalo, so much of blocks numbers 167, 168, and 186 in the south village of Black Rock as shall be deemed neces-

sary for the purpose, upon just and full compensation being provided for the owners thereof in the manner prescribed in the fourth article and second title of the ninth chapter and third part of the Revised Statutes; but the consent so given shall not impede the execution of any process, civil or criminal issued under the authority of this state, except so far as such process may affect the real or personal property of the United States within the said territory." (Passed April 12, 1842. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 173.)

"SECTION 1. The commissioners of the land office are hereby authorized to cede and convey to the United States of America the title of this state to certain lands belonging to this state, in the south village of Black Rock, in the county of Erie, which are bounded and described as follows: Beginning at the northeast corner of Connecticut street and the Buffalo and Black Rock railroad, thence first in a northwesterly and next in a northerly direction along the easterly side of said railroad, to a short street leading from said railroad to Massachusetts street; thence along the south side of said short street to Broadway; thence along the west side of Broadway to Fifth street; thence along the southwest side of Fifth street to Rhode Island street; thence along the southeast side of Rhode Island street to Broadway; thence along the west side of Broadway to Fourth street; thence along the southwest side of Fourth street to Connecticut street; thence along the northwest side of Connecticut street to the place of beginning; or so much thereof as may be required by the United States of America, and necessary for the purpose of erecting and establishing a fort, battery, barracks, parade ground, or military post; provided, always, that this state shall have the right to quarry, carry off, and use, for public purposes, the stone on the southwest side of the reserve, called the 'Military square,' and of the reserve immediately north thereof, until the bank shall have been penetrated by such quarrying to within fifty feet of the southwest side of Fourth street; the United States of America being allowed to quarry, carry off and use so much stone in said quarry as may be deemed necessary for the construction of the contemplated defences, together with all the buildings and other erections that may be connected therewith.

"SEC. 2. The jurisdiction over such land, the title of which shall be acquired by the United States pursuant to the first section of this act, or has been acquired under any law authorizing proceedings in the nature of a writ *ad quod damnum*, or by purchase from individuals of lands lying in the city of Buffalo and in the village of Black Rock, and over all those streets, lanes and alleys, lying between blocks number one hundred eighty-six, one hundred sixty-seven, and one hundred sixty-eight, in said village, and between one and all of said blocks and the premises described in the first section of this act, which are or may hereafter be closed, or discontinued by law, for the purpose of establishing a fort, battery, barracks, parade-ground or military post, at or near Buffalo, shall be ceded to and vest in the United States of America. But such jurisdiction shall not impede the execution of any civil or criminal process issued under the authority of this state, except so far as such process may affect the real or personal property of the United States within the ceded territory.

"SEC. 3. The property, over which jurisdiction is granted by the first section of this act, shall be exonerated and discharged from all taxes and assessment which may be levied or imposed under the au-

thority of this state, while the said land shall remain the property of the United States, and shall be used for the purpose intended by this act, and not otherwise.

"SEC. 4. Whenever the United States shall cease to occupy the said land or any part thereof, for the purpose mentioned in the first section of this act, then said lands shall revert to the people of this state." (Passed February 9, 1844. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 173.)

In accordance with the Act of April 21, 1840, as amended by the Act of February 28, 1842, and also the Act of February 9, 1844, cited above, the Governor of the State of New York, by letters patent, ceded title to a portion of the foregoing lands, and jurisdiction over all of them. Patent dated October 17, 1853, and recorded in the Secretary's Office of the State of New York October 17, 1853, in Book of Patents No. 34, page 322.

Resolution of board of Trustees of the Village of Black Rock, in Erie County, to the United States, dated November 22, 1842, setting apart certain streets for the use of the military post. Resolution recorded in the Clerk's Office of said village.

The pioneer act, providing for the acquisition of lands at Black Rock by the United States for the establishment of a military post, was passed by the State Legislature March 19, 1802, and is in part as follows:

"Whereas it is necessary that a treaty be held with the Seneca Nation of Indians to extinguish their claim to lands east of Lake Erie, to enable this state to cede their jurisdiction or sell to the United States a sufficient quantity of the said land at the eastern extremity of Lake Erie, at a place called Black Rock, as may be sufficient for the establishment of a military post: Therefore

"1. *Be it enacted, etc.*, That it shall and may be lawful for the person administering the government of this state, or his agent or agents, to hold a treaty (on the part of the people of this state) with the Seneca nation of Indians, to extinguish their claim to the whole or such part of their lands at the east end of Lake Erie, of one mile wide, on Niagara River, from Buffaloes-Creek to Stedman's farm, including Black Rock, with so much land adjoining as shall be sufficient for establishing a military post, on such payments and annuities as he or they shall judge most conducive to the interests of this state.

"2. That it shall and may be lawful for the person administering the government of this state, for and on behalf of this state, to convey to the United States, after the relinquishment of the claim of the said Indians as aforesaid, in fee simple, such part of the said land, at the eastern extremity of Lake Erie, at a place called Black Rock, as may be sufficient for the establishment of a military post, the United States paying therefor, the expense of holding the said treaty, or such part thereof as the person administering the government of this State shall judge reasonable: *Provided always*, That nothing in the foregoing grant to the United States shall be construed so as to prejudice the right of portage of the people of this State along the said river through the tract of land which may be so conveyed, and the privilege of a road along the shore of Lake Erie, and of a ferry across the Niagara River at Black Rock: *And provided further*, That such conveyance shall in no wise prevent the exe-

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cution of any process, civil or criminal, issuing under the authority of this State within the bounds of the land so to be conveyed, and such conveyance shall expressly contain such condition."

See also General Act of Cession and Appendix, page 455.

Easements: Act of Congress, approved August 4, 1852, granted right of way to all rail and plank road or macadamized turnpike companies through public lands of the United States under certain conditions. Location of a right of way by the Lockport and Buffalo Railroad Company, under authority of above act, approved by the President, December 21, 1852.

The Erie Canal crosses the reservation and a canal repair yard is located within the limits thereof, under authority of section 1, of the Act of the State Legislature, passed February 28, 1842 (*ante*).

Revocable Licenses: License, by Joint Resolution of Congress, approved July 11, 1870, to the city of Buffalo to improve and beautify the grounds of Fort Porter.

License, January 5, 1881, to the State of New York to use certain defined parcels of land on the reservation for canal purposes.

License, June 8, 1883, to the city of Buffalo to build a sewer through the reservation.

License, April 10, 1884, to the Park Commissioners of the city of Buffalo to construct a roadway through the reservation.

License, October 16, 1885, to the Treasury Department to use a portion of the reservation for light-house purposes.

License, January 22, 1897, to the Superintendent of Public Works of the State of New York to deposit upon the reservation the rock, dirt and other material to be taken from the Erie Canal.

License, January 26, 1898, to the Western Union Telegraph Company to construct its line upon the reservation.

License, September 14, 1900, to J. M. Roesch to move his boat house on the reservation to a new location beyond the water's edge.

License, December 12, 1904, to the City of Buffalo, for coal and ash conveyor, etc., in connection with water supply system.

SAG HARBOR.

This reservation contains an area of about 3,100 square feet, and is situated at Sag Harbor, on Long Island, in the County of Suffolk. The title is as follows:

1. Deed from Thomas S. Lester, dated May 16, 1810, conveying about 3,000 square feet of land. Recorded in Liber D, page 182, of the deed records of Suffolk County.

2. Deed from Henry P. Dering and wife, dated November 11, 1811, conveying 100 square feet of land. Recorded ———.

For jurisdiction see General Act of Cession.

FORT SCHUYLER.

This reservation contains an area of 52 acres, also a right of way, and is situated in Westchester County on Throg's Neck, 3½ miles from Westchester, and 17 miles from New York City. The title is as follows:

1. Deed from William Bayard, et al., dated July 26, 1826, conveying 52 acres of land. Recorded in Book No. 28, page 225, etc., of the deed records of Westchester County.

2. Deed from Thomas Bolton, Master in Chancery, et al., dated August 25, 1828, conveying said land. Recorded in Liber 33 of Deeds, page 296, etc., of same records.

3. Deed of Release from H. LeRoy, et al., Guardians, etc., dated November 14, 1826, conveying said tract. Recorded in Book 28, page 221, etc., of same records.

4. Deed from H. LeRoy, et al., dated April 10, 1837, conveying right of way from Westchester to White Stone Ferry. Recorded in Liber 72, page 466, etc., of same records.

5. Deed from George Edwards and wife, et al., dated April 8, 1837, conveying right of way from Westchester to White Stone Ferry. Recorded in Liber 72, page 461, etc., of same records.

6. Deed from Thomas H. Newbold, dated April 10, 1837, conveying right of way from Westchester to White Stone Ferry. Recorded in Liber 72, page 467, etc., of same records.

Provision was made for ceding jurisdiction to the United States by an Act of the State Legislature, passed March 31, 1815, for which see Fort Montgomery.

Title to and jurisdiction over water-covered land was ceded by an Act of the State Legislature, passed May, 7, 1880, for which see Fort Wood.

By patent from the Governor of the State of New York, dated May 26, 1880, the title to and jurisdiction over the premises described in the Act of May 7, 1880, were granted and conveyed to the United States, subject to the terms of said act and the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of Patents in the Office of the Secretary of State for the State of New York.

See also General Act of Cession.

FORT SLOCUM.

This reservation, which includes all of David's Island, contains an area of about 86.50 acres; was purchased under authority of an Act of Congress approved February 18, 1867, and is situated at the southwestern extremity of Long Island Sound, 2 miles from New Rochelle, Westchester County, and 22 miles from New York City. The title is as follows:

Deed from Simeon Leland and wife, dated May 11, 1867, conveying "David's Island," in New Rochelle, County of Westchester, reserving right of ferriage. Recorded in Book —, page —, of the deed records of Westchester County. Jurisdiction was ceded to the United States by an Act of the State Legislature approved April 20, 1868, which provides as follows:

"SECTION 1. Jurisdiction is hereby ceded to the United States over certain land situate in the harbor of New Rochelle, and known as David's Island, the same to be purchased and used by the United States for military purposes: *provided, however,* and this act is upon the express condition, that all civil and criminal processes issued under the authority of this State, or of any officer thereof, may be executed on said David's island, and in the buildings that are or may

be erected thereon, in the same manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. The said David's island, with the appurtenances, buildings, and other property that may be thereon, shall, as soon as it is acquired by the United States, and forever thereafter, as long as it remains the property of the United States, be exempt from all state, county, and municipal taxation and assessments, and provided also, that said island shall not be used for general hospital purposes." (Passed April 20, 1868. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 201.)

Title and jurisdiction as to water-covered lands were ceded by an Act of the State Legislature approved May 7, 1880, for which see Fort Wood, and thereafter, by Patent from the Governor of the State of New York, dated May 26, 1880, the title to and jurisdiction over the premises described in the Act of May 7, 1880, were granted and conveyed to the United States subject to the terms of the said Act and the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of Patents in the Office of the Secretary of State for the State of New York.

See also General Act of Cession.

FORT TERRY.

This reservation contains an area of 797 acres and includes the whole of Plum Island, except about 3 acres at the western end, which tract is reserved for light-house purposes. Plum Island is situated in Suffolk County and is surrounded by the waters of Long Island Sound and Gardiners Bay.

The title is as follows:

1. Deed from Abram S. Hewitt and wife, dated February 24, 1897, conveying 150 acres of land. Recorded in Liber 456, page 81, of the deed records of Suffolk County.

2. Deed from Abram S. Hewitt and wife, dated June 24, 1901, conveying 647 acres. Recorded in Liber 508, page 52, of same records.

For jurisdiction see General Act of Cession.

Revocable License: License, March 9, 1906, to E. F. Morgan Company for laundry.

FORT TOMPKINS.

Included under Fort Wadsworth.

FORT TOTTEN.

This reservation, formerly called Willets Point, contains an area of 136.35 acres of land, and is situated on the East River, in Queens County, 2½ miles from Whitestone and 17 miles from New York City. The title is as follows:

1. Deed from George Irving and wife, dated May 16, 1857, conveying 110 acres of land. Recorded in Liber 156, page 422, etc., of the records of deeds in Queens County Clerk's Office.

2. Deed from Henry Day and wife, dated April 14, 1863, conveying 26.35 acres, riparian rights, and right of way. Recorded in Liber 204, page 208, etc., of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature passed April 15, 1857, and April 17, 1875.

For act of April 15, 1857, see Fort Wadsworth. The Act of April 17, 1875, provides as follows:

"SECTION 1. The first section of the act entitled 'An act giving the consent of the state of New York, to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States jurisdiction thereof,' passed April fifteenth, eighteen hundred and fifty-seven, is hereby amended to read as follows:

"'SECTION 1. The consent of the state of New York is hereby given, to the purchase by the United States, of all and each and every tract of land on the island of Long Island, in the county of Queens, in a direction opposite Fort Schuyler, East river, that may be acquired by the United States and that shall be necessary (under the appropriation by congress of March third, eighteen hundred and fifty-seven, for the commencement of a fort opposite Fort Schuyler, New York) for the purpose of building and maintaining thereon forts, magazines, dockyards, wharves, and other necessary structures, with their appendages, and (concurrent jurisdiction is hereby ceded to the United States) over all the contiguous shores, flats and waters within four hundred feet from low-water mark (measured toward the channel), and over the land lying between high and low-water marks, and in case the owners of the said land shall not consent to sell the same on such terms as the United States may deem equitable, the consent of the legislature is hereby given to the United States taking the same for the purpose aforesaid, upon just and full compensation being provided for the owners thereof in the manner prescribed in the fourth article and second title of the ninth chapter and third part of the Revised Statutes; and all right, title and claim which this state may have to or in the premises aforesaid is hereby granted to the United States, subject to the restrictions hereinafter mentioned.'"

See also General Act of Cession.

FORT TYLER.

This reservation was originally acquired for Light-House purposes, and, having been abandoned as a Light-House reservation, was, on April 5, 1898, transferred to the War Department for purpose of erecting a battery thereon. It is situated on Gardiner's Point (Gardiner's Island), near Sag Harbor, Long Island Sound, and comprises an area of about 14 acres.

The title is as follows: Deed from John G. Gardiner and wife, dated August 7, 1851. Recorded in Suffolk County Clerk's Office, in Liber 60 of Deeds, page 270.

Jurisdiction was ceded to the United States by an Act of the State Legislature passed February 27, 1852, providing as follows:

"SECTION 1. The jurisdiction of the State of New York is hereby ceded to the United States of America for the purpose of erecting and maintaining thereon a light-house and other necessary buildings over all that certain tract or parcel of land being part of Gardiners Island in the town of East Hampton in the County of Suffolk and more particularly described as follows to wit: All that part of the North point of Gardiners Island aforesaid lying northwest of a line described and running as follows to wit: Starting from a Stake

on a Sand ridge and running thence north fifty six degrees east, and south fifty six degrees west, to the waters on each side of the said point or beach respectively and bounded northerly, easterly and westerly by the waters of Gardiners Bay and southeasterly by the beach at the aforesaid line, containing about fourteen acres more or less.

"SEC. 2. The jurisdiction so ceded to the United States is granted upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States in and over the tract of land aforesaid so far as that civil process in all cases and such criminal process as may issue under the authority of the State of New York against any person or persons charged with crimes committed without the said tract of land may be executed therein in the same way or manner as if this jurisdiction had not been ceded; the United States are to retain such jurisdiction as long as the said tract of land shall be used for the purposes expressed in the first section and no longer."

See, also, General Act of Cession.

FORT WADSWORTH.

This reservation contains an area of about 230 acres, and is situated on Staten Island, in Richmond County. The title is as follows:

1. Letters Patent from the State of New York to the United States, dated February 15, 1847, conveying 47.50 acres of land, together with the water front and lands under water; also ceding jurisdiction over the lands so conveyed. Patent recorded in Liber 15, page 266, etc., of the deed records of Richmond County.

2. Deed from Peter Jacobson and wife, dated July 8, 1854, conveying 5.2 acres of land. Recorded in Liber 34, page 628, etc., of same records.

3. Deed from William H. Aspinwall and wife, dated May 28, 1856, conveying a tract of land by metes and bounds. Recorded in Liber 40, page 404, etc., of same records.

4. Decree of condemnation for 7.58 acres of land in the case of The United States *v.* J. J. Alexandre and wife in the United States District Court for the Eastern District of New York. Rendered November 25, 1892, and filed with the record in the office of the Clerk of said District Court.

5. Deed from J. J. Alexandre and wife, dated January 5, 1893, conveying same premises. Recorded in Liber 223, page 438, of the deed records of Richmond County.

6. Decree of Condemnation for 18.797 acres of land in the case of The United States *v.* J. H. Alexandre and wife in the United States District Court for the Eastern District of New York. Rendered November 25, 1892, and filed with the record in the office of the Clerk of said District Court.

7. Deed from J. H. Alexandre and wife, dated January 5, 1893, conveying same premises. Recorded in Liber 223, page 435, of the deed records of Richmond County.

8. Decree of Condemnation for 9 acres of land in the case of The United States *v.* Ellen Lee Mayo in the United States District Court for the Eastern District of New York. Rendered November 25,

1892, and filed with the record in the office of the Clerk of said District Court.

9. Deed from Ellen Lee Mayo, dated January 5, 1893, conveying same premises. Recorded in Liber 225, page 381, of the deed records of Richmond County.

10. Decree of Condemnation for 50 acres of land, exclusive of certain streets, in case of The United States *v.* Serena P. Appleton, in the United States District Court for the Eastern District of New York. Decree rendered November 25, 1892, and filed with the record in the office of the Clerk of said District Court.

11. Deed from Serena P. Appleton, dated January 5, 1893, conveying 50 acres of land, exclusive of certain streets. Recorded in Liber 223, page 431, of the deed records of Richmond County.

12. Deed from Josefa de la Serna de Hegewisch and husband, dated March 14, 1892, conveying certain lands, etc., by metes and bounds. Recorded in Liber 216, page 534, of same records.

13. Deed from Adolfo Hegewisch and wife, dated March 14, 1892, conveying certain lands, etc., by metes and bounds. Recorded in Liber 216, page 538, of same records.

14. Deed from Sarah Schuyler Martin, dated February 1, 1895, conveying 6.25 acres of land. Recorded in Liber 240, page 374, of same records.

15. Deed from Joseph B. Whitney and wife, dated March 11, 1898, conveying certain lands by metes and bounds. Recorded in Liber 259, page 574, of same records.

16. Deed from Elizabeth D. Ockerhausen, et al., dated August 30, 1898, conveying 6.72 acres. Recorded in Liber 264, page 402, of same records.

17. Deed from Joseph B. Whitney and wife, et al., dated October 18, 1900, conveying 7.725 acres. Recorded in Liber 282, page 109, of same records.

18. Deed from Adeline Haxtun, dated February 14, 1901, conveying 5.09 acres. Recorded in Liber 285, page 387, of same records.

19. Deed from Henry Mouquin and wife, dated October 2, 1901, conveying 3.90 acres. Recorded in Liber 288, page 10, of same records.

Jurisdiction of the first described purchase was authorized to be ceded with title by an Act of the State Legislature, passed February 6, 1836, which provides as follows:

"SECTION 1. The commissioners of the land office are hereby authorized to sell to the United States of America, upon such terms as they may think proper, so much of the land upon Staten island belonging to the state of New York, heretofore used for military purposes, as may be required by the government of the United States to construct and maintain proper defences for the protection of the harbor of New York.

"SEC. 2. The jurisdiction over such land as may be sold by virtue of the first section of this act, from and after such sale, shall be ceded to the United States of America, for the purposes for which such land shall have been sold. But such jurisdiction shall not be construed so as to prevent or impede the execution of any process, civil or criminal, under the authority of this state, except so far as such process may affect the real or personal property of the United States within the

said tract of land." (Passed February 6, 1836. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 170.)

For deed, in pursuance of said Act, see No. 1 herein ("Letters Patent from the State of New York, etc.," February 15, 1847).

Jurisdiction was also ceded by acts of the State Legislature, passed April 15, 1857; April 18, 1861; February 20, 1862; for water-covered lands May 7, 1880; for additional lands May 6, 1893, and February 14, 1896, which acts provide as follows:

"SECTION 1. The consent of the state of New York is hereby given to the purchase by the United States of all and each and every tract of land on the island of Long island, in the county of Queens, in a direction opposite Fort Schuyler, East river, that may be acquired by the United States, and that shall be necessary (under the appropriation by congress of March third, eighteen hundred and fifty-seven, for the commencement of a fort opposite Fort Schuyler, New York) for the purpose of building and maintaining thereon forts, magazines, dock yards, wharves, and other necessary structures, with their appendages, and over all the contiguous shores, flats and waters within four hundred feet from low-water mark, and in case the owners of the said land shall not consent to sell the same on such terms as the United States may deem equitable, the consent of the legislature is hereby given to the United States taking the same for the purpose aforesaid, upon just and full compensation being provided for the owners thereof in the manner prescribed in the fourth article and second title of the ninth chapter and third part of the Revised Statutes; and all right, title, and claim which this state may have to or in the premises aforesaid is hereby granted to the United States, subject to the restrictions hereinafter mentioned.

"SEC. 2. The consent of the state of New York is also hereby given to the purchase, by the United States, of all, each and every portion of that tract of land on Staten island, in the county of Richmond, New York, now owned by William H. Aspinwall, who is to convey the same to the United States; said land lying mainly between the land of the United States and New York avenue, for the purpose of building and maintaining thereon forts, magazines, arsenals, and other necessary structures, with their appendages.

"SEC. 3. The jurisdiction of the state of New York, in and over the said property referred to and set forth in the first and second sections hereof, shall be, and the same is hereby, ceded to the United States, subject to the restrictions hereinafter mentioned.

"SEC. 4. The said consent is given, and the said jurisdiction ceded upon the express condition that the state of New York shall retain a concurrent jurisdiction with the United States in and over the said property, so far as that all civil, criminal and other process, which may issue under the laws or authority of the state of New York, may be executed thereon, in the same way and manner as if such consent had not been given, or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

"SEC. 5. The jurisdiction hereby ceded shall not vest in any respect to any portion of said property until the United States shall have acquired the title thereto, by purchase or otherwise.

"SEC. 6. The said property, when acquired by the United States, shall be and continue forever thereafter exonerated and discharged from all taxes, assessments, and other charges, which may be levied

or imposed under the authority of this state; but the jurisdiction hereby ceded, and the exemption from taxation hereby granted, shall continue in respect to said property, and to each portion thereof, so long as the same shall remain the property of the United States, and be used for the purposes aforesaid, and no longer." (Passed April 15, 1857. Rev. Stats. of New York, 8th ed., Vol. 1, p. 189.)

For Act of the State Legislature, passed April 18, 1861, see Fort Hamilton.

"SECTION 1. The last paragraph of the seventh section of the act entitled * * * (above Act of April 18, 1861) is hereby amended so as to read as follows: For the purpose of building and maintaining thereon batteries, forts, magazines, wharfs, and other necessary structures, with their appendages, adjacent to Fort Hamilton, Kings County, Long Island, and adjacent to Fort Tompkins, in the town of Southfield, county of Richmond, Staten Island." (Passed February 20, 1862.)

See also Fort Hamilton for Act of February 20, 1862, as to condemnation proceedings.

For title to and jurisdiction over water-covered lands, see Act of the State Legislature passed May 7, 1880, as set out under caption of "Fort Wood."

By Patent from the Governor of the State of New York, dated May 26, 1880, title to and jurisdiction over the premises described in the Act of May 7, 1880, were granted and conveyed to the United States, subject to the terms of the said act and the limitations contained therein. Recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of Patents in the Office of the Secretary of State for the State of New York.

Jurisdiction over the additional lands was ceded to the United States by acts of the State Legislature, passed May 26, 1893, and February 14, 1896, which acts provide as follows:

"SECTION 1. The consent of the State of New York is hereby given to the acquisition by the United States of the following described tracts or parcels of land upon the payment of the taxes now due thereon, namely: All those certain tracts or parcels of land, situated, lying and being in the village of Edgewater, in the town of Southfield, in the County of Richmond, and State of New York, adjacent to the military reservation of Fort Wadsworth, on Staten Island, as follows, to wit: One certain tract of land containing about fourteen acres, and the land and land under water lying in front thereof, and between ordinary high-water mark of New York bay and the pier and bulkhead line established by the United States, and four certain adjacent tracts of land, containing in the aggregate about eighty-two acres, and about four and eight hundred and fifty-five one-thousandths acres of land and land under water, lying in front of that portion thereof that borders on the shore of New York bay, and between ordinary high-water mark of said New York bay and the pier and bulkhead line established by the United States; and it is hereby provided that the United States may erect fortifications, barracks, and other public buildings thereupon for the defense of New York harbor; and the United States shall have, hold and occupy said lands thus acquired, and shall exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction hereby ceded shall vest when plats and descriptions of the said lands thus acquired, shall have been filed in the office of the Secretary of State of the State of New York; such jurisdiction shall continue no longer than the United States shall own such lands, and such consent is given and jurisdiction ceded upon the express condition that the State of New York shall retain concurrent jurisdiction with the United States in and over such lands, so far as that all civil and criminal process, duly issued under the laws of said State, for acts done or offenses committed within said State, may be freely and fully executed on and within the said lands, except so far as such processes may affect the real or personal property of the United States.

"SEC. 3. So long as such lands thus acquired shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State." (Passed May 6, 1893. Laws of N. Y., 1893, vol. 2, p. 1423.)

Jurisdiction over the tracts acquired from Elizabeth D. Okerhausen, Joseph B. Whitney, Adeline Haxtun, and Henry Mouquin respectively, was ceded by the Governor, under the provisions of the General Act of Cession, under dates of October 24, 1898, December 19, 1900, May 9, 1901 and December 19, 1901.

See also General Act of Cession, and Act entitled "Act to release to the U. S. etc." dated March 12, 1903. (Laws of N. Y., 1903, vol. 1, p. 151), releasing rights of State under tax sales.

Revocable Licenses: License, April 11, 1896, to the Staten Island Electric Railroad Company to construct, maintain and operate an electric street surface railroad on so much of Richmond Avenue as lies within or abuts upon the reservation.

License, September 30, 1901, to the Treasury Department to occupy for a light-keeper's dwelling a tract of land 100 by 125 feet near the intersection of New York and Richmond Avenues. (Location changed by letter of the Secretary of War to the Secretary of Commerce and Labor, November 5, 1903; accepted by the latter February 15, 1904.)

WATERVLIET ARSENAL.

This reservation contains an area of about 106 acres, and is situated at West Troy, in Albany County. The title is as follows:

1. Deed from James Gibbons and wife, dated July 14, 1813, conveying 12 acres 3 roods and 28 perches of land with reservations. Recorded in Book D D, page 23, etc., of the deed records in the Clerk's office of the City and County of Albany.

2. Deed from James Dalliba, agent, dated July 29, 1826. Recorded in Book F F, No. 2, page 44, etc., of same records. This deed is a release of trust, and cites a deed taken inadvertently to said Dalliba, special agent for the people of the United States, from James Gibbons and wife, dated May 17, 1823, for seven lots in Gibbonsville, near Watervliet.

3. Deed from Esther Gibbons, sole executrix, etc., dated April 28, 1828, conveying 30 acres of land. Recorded in Book F F, No. 2, page 139, of same records.

4. Deed from Peter S. Henry, Master in Chancery, dated June 17, 1833, conveying 44.99 acres of land. Recorded in Book S S, page 447, etc., of same records.

5. Deed from Augustus Viele and wife, dated March 18, 1859, conveying a tract therein described. Recorded in Book 157, page 336, etc., of same records.

6. Deed from Albert G. Sage and wife, dated April 7, 1859, conveying a tract therein described. Recorded in Book 157, page 116, etc., of same records.

7. Quit-Claim Deed from John B. Chottar and wife, dated May 27, 1859, conveying two tracts of land therein described; also Lot No. 69 in West Troy. Recorded in Book 156, page 506, etc., of same records.

8. Deed from Joseph Hackett and wife, dated May 7, 1861, conveying part of Lot No. 68. Recorded in Book 172, page 15, etc., of same records.

9. Deed from Archibald A. Dunlap and wife, dated May 7, 1861, conveying part of Lot No. 67. Recorded in Book No. 173, page 498, etc., of same records.

10. Deed from Stephen S. Wandell and wife, dated May 7, 1861, conveying part of Lot No. 68. Recorded in Book 172, page 18, etc., of same records.

11. Quit-Claim Deed from Esther E. Wandell and husband, dated May 7, 1861, conveying Lot No. 68.

12. Quit-Claim Deed from Archibald A. Dunlap and wife, dated February 24, 1862, conveying north half of Lot 67.

13. Deed from Albert G. Sage and wife, dated September 7, 1866, conveying a tract therein described. Recorded in Book 208, page 41, etc., of same records.

14. Deed of Release from the Trustees of Union College, dated September 12, 1866, conveying interest in Lot 66. Recorded in Book 210, page 337, etc., of same records.

15. Deed from William J. Snyder and wife, dated December 20, 1866, conveying Lot 63. Recorded in Book 210, page 342, etc., of same records.

16. Deed from Martha Davis, dated December 22, 1866, conveying Lot 67 and an additional strip with reservation of ground rent. Recorded in Book 210, page 333, of same records.

17. Quit-Claim Deed from Jane Hunter and husband, et al., dated December 24, 1866, conveying Lot 65. Recorded in Book 210, page 347, of same records.

18. Quit-Claim Deed from Peter Thalimer and wife, dated January 1, 1867, conveying Lot 64. Recorded in Book 210, page 341, etc., of same records.

19. Quit-Claim Deed from Laura O. Deming and husband, dated January 16, 1867, conveying Lot 66. Recorded in Book 210, page 334, etc., of same records.

20. Deed of Release from Union College, dated February 1, 1867, conveying all interest in Lot 64. Recorded in Book 210, page 339, etc., of same records.

21. Quit-Rent Deed from Archibald A. Dunlap and wife, dated August 24, 1867, releasing ground rent on Lot 67. Recorded in Book 210, page 343, of same records.

22. Quit-Rent Deed from Alexander McAllister and wife, dated August 27, 1867, releasing ground rent on Lot 63. Recorded in Book 210, page 338, etc., of same records.

23. Quit-Rent Deed from Alexander McAllister and wife, dated August 27, 1867, releasing ground rent on Lot 65. Recorded in Book 210, page 346, etc., of same records.

24. Deed from Elizabeth Hall and husband, dated August 16, 1869, conveying Lots 51 and 50. Recorded in Book 232, page 231, of same records.

Jurisdiction was ceded by acts of the State Legislature passed March 31, 1815, April 20, 1830, March 30, 1833, April 14, 1859, and March 28, 1867, which acts provide as follows:

(For act of March 31, 1815, which provides for Commissioners to cede jurisdiction, etc., by deed, see Fort Montgomery. No evidence of deed.)

"SECTION 1. The jurisdiction of the State of New York is hereby ceded to the United States of America, for the purpose of erecting and maintaining thereon arsenals, magazines, dock-yards and other necessary buildings, over all that certain tract, piece or parcel of land, situate, lying and being in the town of Watervliet, in the county of Albany, and bounded as follows, to wit: * * * together with all the land under water lying opposite and easterly of the described premises, which has been heretofore granted by letters patent to James Gibbons by the people of the State of New York; the evidences of the several purchases of the land which is hereby ceded, being recorded in the office of the clerk of the county of Albany; but always excepting and reserving out of the lands above described, the land occupied by the Erie canal, one rod on each side thereof, and also the public highway.

"SEC. 2. The jurisdiction so ceded to the United States is granted upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States, in and over the tracts of land aforesaid, so far as that civil process, in all cases, and such criminal process as may issue under the authority of the State of New York, against any person or persons charged with crimes committed without the said tract of land, may be executed therein, in the same way and manner as if this jurisdiction had not been ceded. The United States are to retain such jurisdiction so long as said tract of land shall be used for the purposes expressed in the foregoing section, and no longer." (Passed April 20, 1830. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 167.)

"SEC. 3. The jurisdiction of the state of New York is hereby ceded to the United States of America, for the purpose of erecting and maintaining thereon arsenals, magazines and other necessary buildings, over all that certain tract, piece, or parcel of land, situate, lying and being in the town of Watervliet, in the county of Albany, and bounded as follows, to wit: Beginning at a stone set in the ground, marked 'U. S. No. 2,' standing at the south side of the Shaker road, and running thence from the said stone along the said road north seventy-two degrees east, sixteen chains and twenty-four links, to a stone in the ground, marked 'U. S. No. 6;' thence south twenty-two degrees west, ten chains seventy-six links, to a stone in the ground marked 'U. S. No. 7;' thence north sixty-eight degrees west, twelve chains eighty-one links, to the place of beginning, containing six acres

and eighty-nine hundredths of an acre. Also over all that other certain tract, piece or parcel of land situate, lying in, and being in the town of Watervliet, in the county of Albany, aforesaid, bounded as follows, to wit: Beginning at a stone set in the ground, marked 'U. S. No. 4,' and running thence north twenty-two degrees east, six chains and thirty-four links, to a stone in the ground marked 'U. S. No. 3,' standing at the south side of the Shaker road; thence south seventy-two degrees west, sixteen chains and twenty-four links, to a stake, (a stone in the ground marked 'U. S. No. 8'), on the north side of the old Schenectady road; thence along the said road southeasterly twenty-two chains and fifty-nine links, to the westerly corner of the burial ground; then along the outside thereof north fifty-seven degrees forty-five minutes east, three chains and twenty-nine links, to the most northerly corner of the said burial ground; thence south thirty-two degrees fifteen minutes east, three chains twenty-nine links, to the most easterly corner of the said burying ground; thence south sixty-nine degrees east, one chain forty-four links, to a stake, (a stone in the ground marked 'U. S. No. 9'); thence south seventy-nine degrees fifteen minutes east, twelve chains eighty links, to a stone in the ground marked 'U. S. No. 10,' on the west side of the Erie canal; thence along the canal north ten degrees east, nine chains and ninety-three links, to the south line of the land belonging to the people of the United States (designated by a stone in the ground marked 'U. S. No. 11'); thence along the said line north sixty-eight degrees west, twenty four chains fifty links, to the place of beginning, containing thirty-eight acres and one-tenth of an acre; but always excepting and reserving out of the lands above described one rod in width along the west side of the Erie canal.

"SEC. 4. The jurisdiction so ceded to the United States over the said tracts of land mentioned in the last preceding section, is granted upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States in and over the said tracts of land, so far as that civil process in all cases, and such criminal process as may issue under the authority of the State of New York, against any person or persons charged with crimes committed within or without the said tracts of land, may be executed therein in the same way and manner as if this jurisdiction had not been ceded, and is to take effect when the purchase by them of the said tracts of land is completed, and the evidences thereof recorded in the office of the clerk of the county of Albany, and they are to retain such jurisdiction so long as the said tracts of land shall be used for the purposes expressed in the foregoing section, and no longer.

"SEC. 5. The jurisdiction hereby first ceded shall not vest until the United States shall have acquired the title to the land mentioned in the preceding section, either by purchase or in the manner hereinafter prescribed.

"SEC. 6. If the United States can not acquire the title to the said premises first above described by purchase, the same may be taken, and the damages may be ascertained and paid in the manner prescribed in the fourth article of the second title of chapter nine of the third part of the Revised Statutes, and the same proceedings shall be had in all respects as prescribed in the said article." (Passed March 30, 1833. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 168.)

"SECTION 1. The jurisdiction of the State of New York is hereby ceded to the United States of America, for the purpose of erecting and maintaining thereon arsenals, magazines and other necessary buildings, and also of using the grounds hereinafter described in connection with the arsenal buildings already erected, over all that certain tract, piece, or parcel of land, situate, lying, and being in the village of West Troy, town of Watervliet, and County of Albany, bounded as follows, to wit: [Here describes lands conveyed by Augustus Viele and wife, March 18, 1859.]

"SEC. 2. The jurisdiction so ceded to the United States over the said tract of land mentioned in the preceding section, is granted upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States in and over the said tract of land, so far as that civil process in all cases, and such criminal process as may issue under the authority of the State of New York, against any person or persons charged with crimes committed within or without the said tract of land, may be executed thereon in the same way and manner as if this jurisdiction had not been ceded, and this act is to take effect when the purchase by the United States of said tract of land is completed, and the evidences recorded in the office of the Clerk of the County of Albany, and not before; and they are to retain such jurisdiction so long as the said tract of land shall be used for the purposes expressed in the foregoing section, and no longer." (Passed April 14, 1859. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 191.)

"SECTION 1. Jurisdiction is hereby ceded to the United States of America over all that certain tract, piece, or parcel of land situate, lying, and being in the village of West Troy, town of Watervliet, and County of Albany, bounded as follows, to wit: * * * And also all that certain other tract, piece or parcel of land situate, lying and being in said village of West Troy, bounded as follows, to wit: * * *

"SEC. 2. The State of New York retains a concurrent jurisdiction with the United States in and over the said lands, so far forth as that all civil and criminal process which may issue under the laws or authority of the State of New York may be executed thereon, in the same way and manner as if this jurisdiction had not been ceded, when such process does not affect the real or personal property of the United States. This act takes effect when the United States has acquired, by purchase or otherwise, the title to said tract of land and has recorded the evidence of such title in the office of the clerk of the County of Albany, and not before.

"SEC. 3. The said property, when acquired by the United States, shall be and continue forever thereafter exonerated and discharged from all taxes and assessments and other charges which may be levied or imposed under the authority of this State; but the jurisdiction hereby ceded and the exemption from taxation hereby granted shall continue, in respect to said property, so long as the same shall remain the property of the United States and be used for public purposes, and no longer." (Passed March 28, 1867. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 198.)

See Appendix, pages 440–444.

See also General Act of Cession.

WEST POINT.

This reservation contains an area of 2,954 acres, is the seat of the United States Military Academy, and is situated in Orange County, on the west bank of the Hudson River, 51 miles above New York City. The title is as follows:

1. Deed from Stephen Moore and wife, with covenant to acknowledge and levy a fine or fines to Henry Knox, Secretary of War, etc., dated September 10, 1790, conveying two tracts of land—part of Congreve and Moore Patents. Recorded in the Office of the Secretary of State of the State of New York in Book of Deeds No. 24, page 74, etc. Purchase authorized by Act of Congress approved July 5, 1790.

2. Quit-Claim Deed of same date from Henry Knox, Secretary of War, same premises. Recorded in same Book and page.

The boundaries of the above tracts were settled in 1812 under an act of Congress approved January 22, 1811. The report, proofs, and map recorded in the office of the Secretary of State of the State of New York in Book of Deeds No. 38, page 521, and accepted by Act of Congress approved January 5, 1813.

3. Deed from Oliver Gridley and wife, dated May 13, 1824, conveying 310 acres of land. Recorded in Liber Y, page 58, etc., of the records of deeds in Orange County. Purchase authorized by Act of Congress approved March 10, 1824.

4. Deed from Kinsley Twining and wife, et al., dated May 7, 1889, conveying 231 acres of land, inclusive of certain highways, embracing 6 acres. Recorded in Liber 369, page 323, of same records.

5. Quit-Claim Deed from Elizabeth H. Kinsley, dated May 7, 1889, releasing dower in above. Recorded in Liber 369, page 355, of same records.

6. Deed from Sidney B. Diffenderfer, Guardian, etc., dated July 1, 1889, conveying interest in land in deed described as No. 4, herein above. Recorded in Liber 369, page 352, of same records.

7. Deed from Mary T. Gridley, dated May 7, 1889, conveying interest in land in deed described as No. 4, herein above. Recorded in Liber 369, page 333, of same records.

8. Deed from Anna G. Walker and husband, dated May 7, 1889, conveying interest in land in deed described as No. 4, herein above. Recorded in Liber 369, page 348, of same records.

9. Deed from Henry H. Gird and wife, et al., dated May 7, 1889, conveying interest in land in deed described as No. 4 herein above. Recorded in Liber 369, page 339, of same records.

10. Quit-Claim Deed from William H. Jaques, dated September 24, 1889, conveying interest in lands in deed described as No. 4 herein above. Recorded in Liber 369, page 336, of same records.

11. Deed from Lynott B. Root, et al., dated May 7, 1889, conveying interest in lands in deed described as No. 4, herein above. Recorded in Liber 369, page 344, of same records.

12. Deed from Eliza A. Reed and husband, dated June 14, 1889, conveying interest in land in deed described as No. 4 herein above. Recorded in Liber 369, page 361, of same records.

13. Deed from Kinsley P. Diffenderfer and wife, et al., dated June 14, 1889, conveying interest in land in deed described as No. 4 herein above. Recorded in Liber 369, page 365, of same records.

14. Deed from Julia Twining, Committee and Special Guardian, etc., dated July 1, 1889, conveying interest in land in deed described as No. 4 herein above. Recorded in Liber 369, page 329, of same records.

(Same, "Round Pond," and Right of Way for Water Pipes, etc.)

15. Deed from Moses Gee and wife, dated July 24, 1879, conveying right of way and right to lay water pipe, etc. Recorded in Liber 294, page 63, of same records.

16. Deed from Townsend Drew, dated July 24, 1879, conveying right of way, etc. Recorded in Liber 294, page 60, of same records.

17. Deed from Ezra Drew and wife, dated August 5, 1879, conveying 49.72 acres of land, including part called "Round Pond." Recorded in Liber 294, page 307, of same records.

18. Deed from Ezra Drew and wife, dated August 5, 1879, conveying right of way for water pipes, etc. Recorded in Liber 294, page 310, of same records.

19. Deed from Elijah C. Vought and wife, dated August 11, 1879, conveying, by way of release, interest in "Round Pond." Recorded in Liber 294, page 332, of same records.

20. Deed from Samuel Van Voorhis and wife, dated August 11, 1879, conveying right of way, etc. Recorded in Liber 294, page 336, of same records.

21. Deed from William Lewis and wife, dated August 11, 1879, conveying right of way, etc. Recorded in Liber 294, page 334, of same records.

22. Deed from Cornelius Nelson, dated October 27, 1881, conveying all mineral rights, also "Round Pond." Recorded in Liber 308, page 296, of same records.

23. Deed from Margaret V. McNulty, dated June 6, 1903, conveying a tract of "Mountain-land," adjoining the reservation, containing 211.82 acres. Recorded in Liber 465, page 448 of same records.

24. Deed from Charles F. Roe and wife, dated June 17, 1905, conveying two tracts of land, aggregating 267 acres. Recorded in Liber 476, page 484, of same records.

25. Deed from Charles F. Roe and wife, dated June 17, 1905, conveying 15 acres. Recorded at page 486 of same records.

26. Deed from Louis F. Goodsell and wife, dated June 17, 1905, conveying a tract of 103 acres, with right of way thereto, and another tract of 27.33 acres. Recorded at page 482 of same records.

27. Deeds from David C. Rose and wife, dated September 29, 1906, covering easement for water pipe through two tracts of land. Recorded in Liber 486, page 279 et seq., of same records.

28. Deed from Lambert Kleitz and wife, dated March 31, 1906, covering easement for water pipe through their premises. Recorded in Liber 485, page 381, of same records.

29. Deed from William H. Brooks and wife, dated July 6, 1905, covering easement for water pipe through their premises. Recorded in Liber 476, page 537, of same records.

30. Decree of Condemnation in U. S. *v.* James Faurot, et al., Supreme Court, Orange County; covering easement for water pipe through their premises; four and one-half acres, more or less. Filed Dec. 28, 1905, in same records.

31. Deed from Lee W. Beattie and wife, dated January 8, 1906, covering easement for water pipe through their premises. Recorded in Liber 480, page 100, of same records.

32. Deed from Charles S. DeGray, and Isaac F. Garrison and wife, dated January 20, 1906, covering easement for water pipe through their premises. Recorded in Liber 480, page 412, of same records.

33. Deed from Susan F. Carpenter, dated March 26, 1906, covering easement for water pipe through her premises. Recorded in Liber 481, page 413, of same records.

34. Deed from Edward W. Dornberger and wife, dated April 13, 1906, covering easement for water pipe through their premises. Recorded in Liber 482, page 2, of same records.

35. Deed from Carrie A. Garrison, dated April 30, 1906, covering easement for water pipe through her premises. Recorded in Liber 483, page 102, of same records.

36. Deed from Clinton Drew, et al., dated May 29, 1906, covering easement for water pipe through their premises. Recorded in Liber 483, page 399, of same records.

37. Deed from Addie Drew, widow, et al., dated July 27, 1906, covering easement for water pipe through their premises. Recorded in Liber 484, page 329, of same records.

38. Deed of Edith Mandigo, dated November 7, 1906, covering easement for water pipe through her premises.

Jurisdiction was ceded to the United States by acts of the State Legislature, passed March 2, 1826; May 15, 1875; May 25, 1876; April 21, 1879, as amended by act of May 30, 1879; June 14, 1880; May 12, 1881, and May 15, 1888, which acts provide as follows:

"*Be it enacted, etc.*, That the jurisdiction of this State, in and over the tract of land hereinafter described, be and the same is hereby ceded to the United States; that is to say, all that piece or parcel of land lying in the town of Cornwall, in the County of Orange, and bounded as follows: Beginning at the northeasterly corner of the piece of land herein intended to be described, at the mouth of a small creek which enters into the Hudson river near the old Stores, and thence up and along the southeasterly side of the said creek, to its intersection with the northeasterly side of the road leading from West Point to John Kronkhite's; thence southeasterly along the northeasterly side of the said road, to its intersection with the road which leads from West Point southerly to the widow Kinsley's; thence from said point of intersection due south to a point seven chains south of the line which divides the Gridley farm from the post of West Point; and from thence south eighty-one degrees east, to the Hudson river, on a line parallel with the said division line; and from thence northwardly along the low-water mark of the said river, to the place of beginning, containing two hundred and twenty acres or thereabouts; *Provided, nevertheless*, That such jurisdiction so ceded as aforesaid shall not extend or be construed to extend so as to impede or prevent the execution of any process, civil or criminal, under the authority of this State, except so far as such process may affect the real or personal property of the United States, within the said above-described tract of land." (Passed March 2, 1826. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 165.)

"SECTION 1. Consent is hereby given under paragraph sixteen of section eight, article one of the Constitution of the United States, to the respective purchases heretofore made by the United States, of the several tracts of land at West Point, in the county of Orange,

now held and owned by the United States for the erection and maintenance thereon of forts, arsenals, docks and piers, military academy, hospitals, and other needful buildings, and for the maintenance of the National cemetery and an observatory, and the legislature hereby also cedes the jurisdiction over said lands to the United States, reserving the right to serve civil and criminal process as now existing, except so far as such process may affect the real or personal property of the United States, and occupancy of the highways now existing or which may exist, upon said lands under the laws of this state." (Passed May 15, 1875. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 209.)

"SECTION 1. All the right and title of the State of New York to the following described parcel of land covered with water adjacent and contiguous to the lands of the United States on the Hudson river at West Point, and jurisdiction over the same, are hereby released and ceded to the United States under article one, section eight, paragraph sixteen of the Constitution, for the purpose of erecting and maintaining docks, wharves, boat-houses, batteries, and other needful military structures and appurtenances; * * * *Provided*, that jurisdiction hereby ceded shall continue no longer than the United States shall own said land at West Point and the adjacent land covered with water hereby released; *and provided further*, that all civil and such criminal process as may lawfully issue under authority of this state may be served or executed over said released lands." (Passed May 25, 1876. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 214.)

"SECTION 1. The commanding officer of the United States military post at West Point, New York, is hereby authorized by himself, or such representative as he may appoint, to enter upon any lands for the purpose of making surveys, with a view to the improvement of the water supply of said United States military post at West Point, New York, and to agree with the owner or owners of any lands, and of Round Pond, as to the amount of compensation to be paid for the same, or any of the same, or for the right of way or other easement, on any lands which, or any of which, may be required for the purposes of this act, or which may be injuriously affected by any of the operations authorized thereby or connected therewith."

(Sections 2 and 3 provide for condemnation of the property in case of disagreement as to purchase.) (Act of April 21, 1879, as amended by Act of May 30, 1879. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 215.)

"SECTION 1. The consent of the state of New York is hereby given to the purchase by the United States of America of a certain pond, known as Round pond, in the town of Highlands, county of Orange, state of New York, and of certain lands adjacent thereto, amounting in all to forty-nine and seventy-two one hundredths acres, and of the right of laying a water pipe from the same to the United States lands at West Point, New York, for the purpose of increasing the water supply thereof; and the said United States may hold, use, occupy and own the said lands and pond and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction of the state of New York in and over said lands and pond mentioned in the last section shall be and the same is hereby ceded to the United States for the purpose aforesaid;

and the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said lands and pond.

"SEC. 3. The consent is given and the said jurisdiction ceded upon the express condition that the state of New York shall retain concurrent jurisdiction with the United States in and over the said lands and pond so far as that all civil process in all cases and such criminal and other process as may issue under the laws or authority of the state of New York against any person or persons charged with crimes or misdemeanors committed within said state, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

"SEC. 4. So long as the said lands and pond shall remain the property of the United States, and no longer, the same shall be and continue discharged from all taxes, assessments, and other charges which may be levied or imposed under the authority of this state.

"SEC. 5. This act shall not affect the claim of Cornelius Nelson in and to the minerals upon the said premises, nor the right of the public to enjoy the public highways as heretofore used." (Passed June 14, 1880. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 226.)

"SECTION 1. The United States is hereby authorized, through the Secretary of War, to agree with the owner or owners of any minerals, mineral right or right appertaining to such mineral right in said lands and premises, purchased by the United States in manner aforesaid, to wit, said Round pond and lands adjacent thereto, in the town of Highlands, Orange County, New York, and with the owner of any such minerals, or mineral or other rights as aforesaid, in the lands through which the right of laying a water pipe from Round pond to the United States lands at West Point, New York, was granted as aforesaid, as to the compensation to be paid for the same, and to acquire and hold said minerals, and mineral or other rights, as aforesaid."

(Sections 2 and 3 provide for condemnation of the property in case of disagreement as to purchase.) (Passed May 12, 1881. Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 227.)

"SECTION 1. Consent is hereby given under paragraph seventeen of section eight, article one, of the Constitution of the United States, to the purchase by the United States of the whole or a part of the lands of the estate of the late E. V. Kinsley lying to the south of and adjoining the government lands at West Point, New York, in the county of Orange, and now the property of the heirs of said Kinsley, for the erection and maintenance thereon of forts, magazines, arsenals, dockyards, military academy, hospitals, and other needful buildings; and the legislature hereby also cedes the jurisdiction over said land to the United States, reserving the right to serve civil and criminal process as now existing, except so far as such process may affect the real or personal property of the United States, and the occupancy of the highways now existing or which may exist upon said lands under the laws of the State.

"SEC. 2. This act shall take effect upon the filing by the United States in the department of state of the state of New York, of proper evidence of the purchase of said lands by the United States, either by

agreement with the heirs of the said E. V. Kinsley or in the mode provided by the laws of the state of New York." (Passed May 15, 1888, Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 237.)

See Appendix, page 437.

Easement: Act of Congress, approved December 14, 1867, authorized the Secretary of War to grant a right of way through the reservation to the Hudson River West Shore Railroad Company. License under above authority, August 5, 1870.

Revocable Licenses: License, May 15, 1890, to the Highland Falls Water and Electric Power Company to lay, maintain and use a line of water pipe across the southwest corner of the reservation.

License, April 14, 1899, to the Rt. Rev. M. A. Corrigan to erect and maintain a chapel on the reservation under authority of Act of Congress, approved July 8, 1898.

FORT WOOD (BEDLOE'S ISLAND).

This island contains an area of about 12 acres, and is situated in New York Harbor, on the western side of the channel of the upper bay; is about 1⅔ miles Southwest from the "Battery" at New York City, 2 miles from Governor's Island, and 1½ miles from the New Jersey shore. The Island is the site of Fort Wood, and also of the "Statute of Liberty." Title is as follows:

By an act of the State Legislature passed February 15, 1800, entitled "An Act to cede to the United States the jurisdiction of certain Islands situated in and about the harbor of New York," which provided as follows:

"*Be it enacted, etc.*, That the following islands, in and about the harbor of New York, and in and about the fortifying of which, this State hath heretofore expended or caused to be expended large sums of money, to wit, all that certain island called Bedlow's Island, bounded on all sides by the waters of Hudson river; all that certain island called Oyster island, bounded on all sides by the waters of the Hudson river; and all that certain island called Governor's island, on which Fort Jay is situate, bounded on all sides by the waters of East river and Hudson river, shall hereafter be subject to the jurisdiction of the United States: *Provided*, that this cession shall not extend to prevent the execution of any process, civil or criminal, issuing under the authority of this State, but that such process may be served and executed on the said islands, respectively, anything herein contained notwithstanding." (Passed February 15, 1800. See Rev. Stats. of N. Y., 8th ed., Vol. 1, p. 152, sec. 3.)

That it was the intention of the Legislature by the above-recited Act to cede title as well as jurisdiction is clearly evident from the Act approved May 7, 1880, ceding certain lands covered with water, which is as follows:

"SECTION 1. All the right and title of the state of New York to the following described parcels of land covered with water, *adjacent and contiguous to the lands of the United States*, in the harbor of New York, at Governor's, Bedloe's, Ellis's, and David's Islands, and Forts Lafayette, Hamilton, Wadsworth (or Tompkins), and Schuyler, and

jurisdiction over the same, are hereby released and ceded to the United States under article one, section eight, paragraph seventeen of the constitution, for the purpose of erecting and maintaining docks, wharves, boat-houses, sea walls, batteries, and other needful structures and appurtenances. Said lands covered with water are bounded and described as follows. * * * *Provided*, that jurisdiction hereby ceded shall continue no longer than the United States shall own said lands at Governor's, Bedloe's, Ellis's, and David's Islands, and at Forts Lafayette, Hamilton, Wadsworth, and Schuyler, and the adjacent lands covered with water, herein described and hereby released; *and provided, further*, that all civil and such criminal process as may lawfully issue under authority of this state may be served or executed over said released lands." (Passed May 7, 1880. Rev. Stats. of N. Y., 8th ed., vol. 1, p. 223.)

Subsequent to the passage of the foregoing Act, to wit, May 26, 1880, the premises were granted and conveyed to the United States of America by the Governor of the State of New York, by letters patent, under the terms of the said Act, and with the limitations contained therein. Patent recorded May 26, 1880, in Book of Patents No. 44, page 604, etc., of the records of Patents in the office of the Secretary of State for the State of New York.

See also General Act of Cession.

License, January 17, 1905, to the United States from The Central Railroad Company of New Jersey to lay and maintain on the premises of said company a steel pipe for the transmission of fresh water to Fort Wood. License given "for the term of ten years * * * and thereafter during the pleasure" of the company.

License, May 13, 1905, to the United States from the National Storage Company, covering similar privilege.

By Executive Order, dated December 30, 1901, The President directed that the Light House Reservation on Bedloe's Island be placed under the control of the War Department, and that Executive Order of November 16, 1884, be modified so that the Statue of Liberty and its surroundings shall be cared for by the War Department.

Revocable Lease to J. P. Roberts for three years from January 1, 1907, covering landing of ferry, for the purpose of carrying freight and passengers to and from the reservation.

WOODLAWN NATIONAL CEMETERY.

This cemetery contains an area of 2.36 acres of land, and is situated at Elmira, in Chemung County. The title is as follows:

Deed from the City of Elmira to the United States, dated June 26, 1877, conveying above tract. Deed recorded in Book No. 69, page 604, etc., of the records of deeds in the Chemung County Clerk's Office.

FORT H. G. WRIGHT.

This reservation is situated at the eastern entrance of Long Island Sound, on Fisher's Island. The land was acquired under condemnation proceedings in the District Court of the United States, for the Eastern District of New York. Decree filed and entered August 8, 1898.

The title is as follows:

1. Deed from Walton Ferguson and wife, dated September 1, 1898, conveying certain land therein described by metes and bounds, together with certain riparian rights. Recorded in Liber 472, page 134, of the records of Suffolk County.

2. Deed from Theodora Gordon, dated September 3, 1898, conveying certain land therein described by metes and bounds. Recorded in Liber 472, page 140, of same records.

3. Deed from Edmund M. Ferguson and wife, dated September 5, 1898, conveying certain land therein described by metes and bounds. Recorded in Liber 472, page 137, of same records.

For jurisdiction see General Act of Cession.

NORTH CAROLINA.

BEACON ISLAND.

This reservation comprises the whole island and is situated inside Ockrakoke Inlet, one of the entrances to Pamlico Sound, near the mouth of the Neuse River, in Carteret County. The title is as follows:

Deed from John G. Blount and John Wallace, dated September 9, 1799, conveying said island as lying in Carteret County. Recorded in Book O, page 129, of the deed records of said County.

Jurisdiction was ceded to the United States by acts of the State Legislature, ratified July 18, 1794, and December 25, 1813, which provide as follows:

" Whereas the Congress of the United States have passed an act to provide for the defence of certain ports and harbors in the United States, in which is comprised Cape Fear river and Occacock inlet, and also an act to erect a light-house on the headland of Cape Hatteras; and whereas it is expedient that the United States should have the exclusive jurisdiction of a sufficient quantity of land on which said forts and light-houses shall be erected:

" 1. *Be it enacted, etc.*, That part of the public ground laid off by the commissioners of Smithville, for a fort on Cape Fear river, including part of the ground whereon Fort Johnson formerly stood, with the exclusive jurisdiction thereof, shall be and the same is hereby ceded to the United States of America, under the condition hereinafter mentioned.

" 2. *And be it further enacted*, That the exclusive jurisdiction of Beacon island, in the harbor of Occacock, and four acres of land at the headland of Cape Hatteras, and also so much of the town of Smithville, adjoining Fort Johnson, as may be found necessary for the said fort, not exceeding six acres, shall be ceded and stand vested in the United States, as soon as the proprietors of said lands shall convey the same to the United States.

" 3. *And be it further enacted*, That the above-mentioned lands are and shall be ceded to the United States, upon the express condition, that the fortifications, light-houses, and beacons, for which the said lands are ceded, shall be erected within three years, and be continued and kept up forever thereafter for the public use.

" 4. *And be it further enacted*, That nothing herein contained shall be so construed as to debar or hinder any of the officers of this state

from serving any process, or levying executions within the limits ceded by this act to the United States, in the same manner and to the same effect as if this act had never been made." (Ratified July 18, 1794.)

(Section 1, Act of Dec. 25, 1813, provides for condemnation, etc.)

"SEC. 2. That so much of an act entitled 'An Act to cede to the United States of America certain lands upon the condition therein mentioned, as cedes Beacon Island, and four acres of land at the head land of Cape Hatteras,' as relates to Beacon Island, be, and the same is hereby, revived and declared to be in full force, any law to the contrary notwithstanding: *Provided always*, and upon express condition that a fort be erected upon said Island by the United States within five years after the passing of this act, and kept up forever thereafter for the use intended by the erection thereof.

"SEC. 3. That the full and entire sovereignty and jurisdiction in and over said land as may be laid out and paid for, for the purpose of erecting fortifications and light-houses under and by virtue of this Act, on or before the first day of December, 1814, be ceded absolutely and entirely to the United States, who shall have, use, and exercise exclusive jurisdiction, power and authority over the same and every part thereof.

"SEC. 4. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from serving any process or levying executions within the limits which may be laid off and ceded by this Act to the United States, in the same manner and to the same effect as if this act had never been made." (Ratified December 25, 1813.)

FORT CASWELL.

This reservation includes a portion of Oak Island, with metes and bounds as announced in G. O. No. 124, W. D., July 7, 1906. Area, about 2750 acres. It is situated about 2 miles from Southport and 22 miles from Wilmington, in Brunswick County. The title is as follows:

Deed from P. R. Dickinson and I. M. Van Cleef, dated October 12, 1825, conveying tract by metes and bounds.

Jurisdiction was ceded to the United States by an act of the State Legislature, ratified December 26, 1825, which provides as follows:

"Whereas the Congress of the United States have passed an act to provide for the defence of the River Cape Fear, by the erections of proper fortifications on Oak Island, at the mouth of said river; and whereas it is expedient that the United States should have the exclusive jurisdiction of said Island, on which said fortifications shall be erected;

"*Be it enacted, etc.*, That the exclusive jurisdiction of the Island, called Oak Island, lying and being at the mouth of Cape Fear River, or of so much thereof as shall be purchased by the United States for the purpose of erecting a fortification, shall be ceded to and stand vested in the United States, as soon as the proprietors of said Island shall convey the same, or any part thereof to the United States for the purpose aforesaid.

"II. *And be it further enacted*, That the above-mentioned Island, or such part thereof as shall be purchased as aforesaid, is and shall be

ceded to the United States upon the express condition, that the fortifications for which said land is ceded, shall be erected within ten years, and be continued and kept up forever thereafter for the public use.

"III. *And be it further enacted*, That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from serving any kind of process or levying executions within the limits ceded by this act to the United States, in the same manner, and to the same effect, as if this act had never been passed." (Ratified December 26, 1825.)

On June 23, 1888, two small tracts on this reservation were transferred to the Treasury Department for a Life-Saving Station and boat house, subject to the condition that when needed for military purposes the same shall be surrendered to the War Department.

By letter of June 9, 1891, a change in the location of one of these tracts was authorized.

Revocable License, October 25, 1905, to the Department of Agriculture to erect steel tower on the site occupied by flag staff used by Life-Saving Service officials for display of storm warnings.

FORT MACON.

This reservation contains an area of about 405 acres, and is situated at "Old Topsail Inlet," 2 miles from Beaufort and Morehead City, in Carteret County. The title is as follows:

1. Deed from Jonas Small and Joseph Davis, dated May 1, 1810, conveying 6 acres and 118 square perches of land. Recorded in Book P, page 286, of the deed records of Carteret County.

2. Certificate from J. R. Dunnell, Sheriff of Carteret County, and a Jury, in condemnation proceedings, to the United States, dated June 1, 1826, conveying "Bogue Banks," containing 405.59 acres. Recorded in Book T, page 446, of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature, ratified December 18, 1807, and November ——, 1825, which provide as follows:

"Whereas the harbor of Old Topsail Inlet is at present in an unguarded state, and is generally nineteen feet water on the bar of said harbor, which renders it necessary that the United States should have the jurisdiction of certain land convenient thereto, in order that a fort may be erected thereon for the defence of the said port and harbor;

"1. *Be it enacted, etc.*, That five acres of land, in the county of Carteret, on the west side and adjoining Old Topsail Inlet, be, and the same is hereby ceded to the United States of America, for the purpose of erecting a fort thereon for the defence of the said port and harbor.

"2. *And be it further enacted*, That Bryant Helen, Jeconias Pickens, and James Stanton be, and they are hereby, appointed commissioners to survey, lay off and mark the boundaries of the said five acres, and shall return a correct plan thereof to the office of the secretary of state; and the said plan so by them returned, shall be deemed full and sufficient evidence of the boundaries aforesaid: *Provided*, that the land ceded by virtue of this act is subject to the following condition: That the said fort shall be erected thereon within

three years from the passing thereof, *and provided also*, that nothing herein contained, shall be construed to debar any of the officers of this state from serving any process or levying executions within the limits ceded by this act, in the same manner and to the same effect, as if this act had never been passed. * * *" (Ratified December 18, 1807.)

"1. Whereas the Congress of the United States have passed an act to provide for the defence of Old Topsail Inlet in this State by the erection of proper fortifications at Bogue Banks; and whereas it has been suggested that difficulties have been experienced by the United States in procuring proper titles to the sites required and whereas it is also expedient that the United States should have the exclusive jurisdiction of said site on which said fortifications shall be erected.

"2. That the exclusive jurisdiction of a certain tract of land called Bogue Banks, butted and bounded as follows, to wit: Beginning at a point on the Atlantic shore, thence a line due North and South will touch the extreme end of a line extending west two thousand seven hundred and ninety-five yards from a point at the extreme east end of Bogue Banks, thence from the beginning due North across Bogue Banks four hundred and eighteen yards till it meets the water's edge, thence eastwardly following the shore along Fishing Creek, and along the shore to the extreme eastern point of Bogue Banks, thence round said point along the Atlantic Ocean westwardly to the beginning containing four hundred and five acres and fifty-nine hundredths, more or less, shall be ceded and stand vested in the United States, as soon as the proprietors of said land shall convey the same to the United States; or, in case the proprietors shall refuse to convey, or be unknown, then as soon as the said land shall be viewed, laid off and valued as hereinafter shall be directed; saving and reserving to the present proprietors of the fisheries the right of fishing upon said Banks as heretofore exercised by them.

"3. That should the owner or owners of said land be unknown or refuse to sell the same for a fair price and the United States shall by their attorney for the District of North Carolina file with his Excellency the Governor of this State a suggestion in writing, setting forth their desire to obtain a site for the erection of fortifications on said lands called Bogue Banks and describing in such suggestion the situation of such site and the name of the owner or owners, if known, it shall be the duty of the Governor forthwith to transmit a copy of such suggestion to one of the Judges of the Superior Courts of Law and Equity of this State who shall on receipt thereof issue a writ of venire facias to the Sheriff of the County in which site so required is situated commanding him to summon twenty-four freeholders of his County to appear on the premises on a day certain, from which he shall draw by lot a jury of eighteen persons entirely unconnected with the owner or owners of such land, who being duly sworn by the Sheriff or his lawful deputy, either of whom is hereby authorized and empowered to administer the oath to the said jurors truly and impartially to value lay off and allot to the United States the 405.59 acres of land aforesaid under their hands and seals in the presence of such Sheriff or his lawful deputy who shall deliver the said writ of venire facias with his return thereon and the report of the jury under their hands and seals, within ten days thereafter to the public register of the County in which such site and lands lie who shall forthwith register the same in the records of his office; and thereupon the United States

shall on payment of the valuation to the person or persons to whom such lands belong, or if such person or persons refuse to accept the same, or be unknown, on payment of the same into the public Treasury of this State, therein to await the order or demand of the rightful owner, be seized thereof for the purpose mentioned in this act: *Provided Always and Upon Express Condition*, That such site for the purpose of erecting fortifications and the annexed land laid off and allotted as above mentioned shall be so used within five years after the filing of such petition, and be and occupied continuously thereafter for such purposes; otherwise such site and annexed land shall revert to this State.

"4. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from serving any process or levying executions within the limits ceded by this act to the United States, in the same manner and to the same effect as if this act had never been made." (Ratified November —, 1825.)

Revocable Licenses: The Secretary of War announced May 15, 1880, that general fishing privileges were extended to any who might desire to fish on the beach, provided no disturbance or damage was created.

License, May 15, 1894, to the Commissioner of Fish and Fisheries to use a tract of marsh land as an oyster experimental station.

License, August 15, 1903, to the Treasury Department to use and occupy two sites upon the reservation for the purposes of a life-saving station and boathouse.

License, December 5, 1905, to Mr. H. D. Goodwin, Life-Saving Service, for small shelter house.

NEWBERN NATIONAL CEMETERY.

This reservation contains an area of 7.69 acres, and is situated at Newbern, in Craven County. The title is as follows:

1. Deed from William P. Moore and wife, dated March 13, 1869, conveying 7.589 acres of land. Recorded in Book No. 69, folio 323, of the deed records of Craven County.

2. Deed from Isaac N. Hughes and wife, dated July 1, 1874, conveying an additional strip of land. Recorded in Book 75, folio 344, etc., of same records.

3. Deed of Release from Murray, Ferris & Company, dated November 8, 1869, conveying interest in premises conveyed by Hughes. Recorded in Book No. 70, folio 233, etc., of same records.

4. Deed from the City of Newbern, dated November 26, 1888, conveying right of way 60 feet wide from said City to the Cemetery.

Jurisdiction was ceded to the United States by the following act of the State Legislature, of March 28, 1870:

"Whereas the government of the United States of America has purchased for use as a national cemetery a certain piece or parcel of land in Craven county, bounded and described as follows, to wit: * * * containing seven and five hundred and eighty-nine thousandths acres; and whereas it is expedient that the United States should have exclusive jurisdiction of the land described above and used as aforesaid; Therefore—

"SECTION 1. *The General Assembly of North Carolina do enact*, That the exclusive jurisdiction of the seven acres, five hundred and

eighty-nine thousandths of an acre of land in Craven county, and used as a national cemetery, shall be ceded and is hereby vested in the United States upon condition that the said national cemetery be continued and kept up.

"SEC. 2. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from levying any process or levying execution within the limits over which jurisdiction is by this act ceded to the United States, in the same manner and to the same effect as if this act had never been passed." (Ratified March 28, 1870.)

RALEIGH NATIONAL CEMETERY.

This reservation contains an area of 7.83 acres, and is situated at Raleigh in Wake County. The title is as follows:

Deed from the State of North Carolina, dated January 17, 1871, conveying 196,875 square feet of land. Recorded in Book 38, page 83, of the deed records of Wake County.

Jurisdiction ceded to the United States by the following act of the State Legislature of April 10, 1869:

"SECTION 1. *The General Assembly of North Carolina do enact*, That the Governor of this State be, and he is hereby, authorized and directed to grant or cede, in behalf of the State, to the United States of America, a certain parcel of land, situated in the county of Wake, the same being a rectangular tract of land, five hundred and twenty-four (524) feet in width, and bounded on the north by land owned by B. F. Moore, on the east by the land owned by J. P. H. Russ, and on the south and west by land owned by this State.

"SEC. 2. That this grant is made in consideration of the United States occupying this parcel of land herein directed to be granted as a National Cemetery; and whenever it shall cease to be used for such purposes, the title to the same shall revert to this State.

"SEC. 3. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from suing any process or levying executions within the limits of this act, ceded to the United States in same manner and to the same effect as if this act had never been passed." (Ratified April 10, 1869.)

SALISBURY NATIONAL CEMETERY.

This reservation contains an area of about 6 acres, and is situated at Salisbury, in Rowan County. The title is as follows:

1. Deed from Joseph Horah and wife, dated January 7, 1870, conveying 3 acres, 3 roods, and 10 poles of land. Recorded in Book 45, page 553, of same records.

2. Deed from Joseph Horah and wife, dated January 7, 1874, conveying 4,882 square feet of land. Recorded in Book No. 47, page 553, of the deed records of Rowan County.

Jurisdiction ceded to the United States by the following act of the State Legislature of February 10, 1872:

"SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for the government of the United States, or any person under authority of the same, to purchase a tract, piece, or parcel of land in the county of Rowan and State of North Carolina,

now occupied as a national cemetery; *Provided*, Said tract or parcel of land shall not exceed ten acres.

"SEC. 2. That all deeds conveyances or other title paper for the same shall be recorded as in other cases in the office of the register of deeds in which the lands so conveyed may lie, in the same manner and under the same regulations as other deeds and conveyances are now recorded, and in like manner may be recorded a sufficient description by metes and bounds, courses and distances, of any tract or tracts or legal division of any public land belonging to the United States, which may be set apart by the general government for the purpose before mentioned by an order, patent or other official document or papers so describing such land.

"SEC. 3. That the said lot or parcel of land, together with the tenements and appurtenances for the purpose before [men]tioned, shall be exempt from taxation by the State of North Carolina.

"SEC. 4. That nothing herein contained shall be so construed as to bar or hinder any of the officers of this State from executing any process or levying an execution within the limits of said tract or parcel of land so held and purchased by the government of the United States, in the same manner as if this act had never been passed." (Ratified February 10, 1872.)

WILMINGTON NATIONAL CEMETERY.

This reservation contains an area of 5 acres, and is situated at Wilmington, in New Hanover County. The title is as follows:

1. Deed from Isaac D. Ryttenberg, dated February 20, 1867, conveying 5 acres of land. Recorded in Book C C C, page 22, etc., of the deed records of New Hanover County.

2. Deed from William A. Wright and wife, dated December 10, 1877, conveying a tract therein described. Recorded in Book N N N, page 804, etc., of same records.

Jurisdiction was ceded to the United States by the following act of the State Legislature of January 22, 1875:

"SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for the government of the United States, or any person under authority of the same, to purchase a tract, piece or parcel of land situated near the eastern boundary of the city of Wilmington, North Carolina, containing five (5) acres, and adjoining the lands of Benjamin White and others, * * * now occupied as a National Cemetery; *Provided*, Said tract or parcel of land shall not exceed ten acres.

"SEC. 2. That all deeds, conveyances or other like papers for the same shall be recorded as in other cases in the office of register of deeds in which the lands so conveyed may lie, in the same manner and under the same regulations as other deeds and conveyances are now recorded, and in like manner may be recorded a sufficient description by metes and bounds, courses and distances of any tract or tracts or legal divisions of any public land belonging to the United States, which may be set apart by the general government for the purpose before mentioned by an order, patent or other official documents or papers so describing such land.

"SEC. 3. That the said lot or parcel of land, together with the tenements and appurtenances for the purpose before mentioned, shall be exempt from taxation by the State of North Carolina.

"SEC. 4. That nothing herein contained shall be so construed as to bar or hinder any of the officers of this State from executing any process or levying an execution within the limits of said tract or parcel of land so held and purchased by the government of the United States, in the same manner as if this act had never been passed." (Ratified January 22, 1875.)

NORTH DAKOTA.

GENERAL ACT OF CESSION.

"*Be it enacted etc.*, Jurisdiction is hereby ceded to the United States over any tract of land that may hereafter be acquired by the United States, on which to establish a military post; *Provided*, legal process, civil and criminal, of this State shall extend over such reservation or lands acquired by the United States to establish a military post in all cases in which exclusive jurisdiction is not vested in the United States, or of crimes not committed within the limits of such reservation."

(Approved March 19, 1895. Revised Codes of North Dakota, 1905, sec. 4.)

FORT LINCOLN.

This reservation contains a total area of 899.17 acres, including a target range of 144.27 acres, and is situated near the city of Bismarck in Burleigh County. The title is as follows:

Certain public lands reserved from sale and set apart for military purposes by Executive Orders, dated May 17, 1899, as amended Aug. 31, 1899, June 8, 1901, and January 17, 1907.

Also the following conveyances:

1. Deed from Wm. J. Johnston and wife, dated February 15, 1898, conveying 35 acres. Recorded in Book 78, page 38, of the records of Burleigh County.

2. Deed from Richard B. Mellon and wife, dated June 18, 1898, conveying 53⅓ acres. Recorded in Book 78, page 70, of same records.

3. Deed from Thomas Mellon and wife, dated June 18, 1898, conveying 80 acres. Recorded in Book 78, page 83, of same records.

4. Deed from Richard B. Mellon and wife, et al., dated June 18, 1898, conveying 480 acres. Recorded in Book 78, page 69, of same records.

5. Deed from F. M. Kinter, Trustee etc., dated January 23, 1899, conveying 25 acres. Recorded in Book 79, page 332, of same records.

6. Deed from Wm. J. Johnston, dated February 8, 1899, conveying 35 acres. Recorded in Book 51, page 522, of same records.

The following deeds convey the site for target range:

7. Deed from John Harcourt and wife, dated May 26, 1896, conveying 80 acres. Recorded in Book 78, page 36, of same records.

8. Deed from William J. Johnston and wife, dated June 12, 1896, conveying above 80 acres. Recorded in Book 78, page 37, of same records.

9. Deed from F. M. Kinter, Trustee, dated March 2, 1898, conveying 25 acres. Recorded in Book 79, page 139, of same records.

10. Deed from Samuel E. Kilner, et al., Trustees etc., dated January 31, 1899, conveying 39.37 acres. Recorded in Book 79, page 364, etc., of same records.

11. Deed from Elizabeth J. Harcourt, dated February 3, 1899, conveying 80 acres (same tract mentioned in Deed No. 7 herein). Recorded in Book —, page 523, of same records.

The United States has an easement in the lands lying along a line extending from the southeast corner of section 15, in a southeasterly direction through section 23, township 138 north, range 80 west, of the 5th principal meridian, to Apple Creek, and thence by and with that creek to the Missouri River, excepting so much thereof as falls within lots 11 and 13 of section 34, township 138 north, range 80 west, of the 5 principal meridian; and lots 2, 3 and 4 of section 10, township 137 north, range 80 west of the 5 principal meridian, to which lots the United States has title, the same having been set apart for military purposes as stated above.

The following deeds convey a right of way for sewer:

1. Deed from Hattie H. Keeney, et al., dated May 3, 1898. Recorded in Book 79, page 215, of the records of Burleigh County.
2. Deed from Chas. H. Beers, dated April 13, 1899. Recorded in Book 79, page 383, etc., of same records.
3. Deed from Fred. P. Hanson, Trustee, dated April 13, 1899. Recorded in Book 79, page 387, etc., of same records.

The following deeds convey the right to use and employ Apple Creek for sewer purposes:

1. Deed from Edwin H. Mc. Henry and Frank G. Bigelow, as Receivers of the N. P. R. Co., dated December 22, 1897. Recorded in Book 79, page 141, of same records.
2. Deed from Philias P. Gendreau, dated February 1, 1898. Recorded in Book 79, page 213, of same records.
3. Deed from Henry E. Falconer, dated April 26, 1898. Recorded in Book 79, page 217, of same records.
4. Deed from Hattie H. Keeney, et al., dated May 3, 1898. Recorded in Book 79, page 337, etc., of same records.
5. Deed from Frank W. Hanitch, dated May 21, 1898. Recorded in Book 79, page 219, of same records.
6. Deed from John Yegen, dated June 10, 1898. Recorded in Book 79, page 214, of same records.
7. Deed from Millie G. Thompson and husband, dated June 16, 1898. Recorded in Book 79, page 223, of same records.
8. Deed from Charles A. Swenson, dated June 16, 1898. Recorded in Book 79, page 211, of same records.
9. Deed from Thomas W. Ashbridge, dated June 18, 1898. Recorded in Book 79, page 210, of same records.
10. Deed from Edward M. Paxson, dated June 24, 1898. Recorded in Book 79, page 220, of same records.
11. Deed from Daniel A. Falconer, dated June 30, 1898. Recorded in Book 79, page 221, of same records.
12. Deed from Norman Falconer, dated June 30, 1898. Recorded in Book 79, page 222, of same records.
13. Deed from Germain Chabot, dated July 23, 1898. Recorded in book 79, page 323, of same records.
14. Deed from Robert Cook, dated July 13, 1898. Recorded in Book 79, page 225, of same records.
15. Deed from John R. Wilson, dated January 24, 1899. Recorded in Book 79, page 334, of same records.

16. Deed from Millie G. Thompson and W. H. Thompson, dated February 4, 1899. Recorded in Book 79, page 341, etc., of same records.

17. Deed from Chas. H. Beers, dated April 13, 1899. Recorded in Book 79, page 381, etc., of same records.

18. Deed from Fred. P. Hanson, dated April 13, 1899. Recorded in Book 79, page 385, etc., of same records.

19. Deed from Cleman Clooten, dated April 15, 1898. Recorded in Book 79, page 218, of same records.

20. Deed from Thomas Asbridge, dated April 15, 1899. Recorded in Book 79, page 389, of same records.

21. Deed from John R. Wilson, dated June 16, 1898. Recorded in Book 79, page 212, of same records.

22. Deed from Henry H. Bentley, dated August 17, 1899. Recorded in Book 79, page 480, of same records.

The following deeds convey an easement for 10-inch water main, for supplying water to the military post:

1. Deed, dated October 25, 1905, from Henry Suttle. Recorded in book 85, page 333, of Deed Records of Burleigh County.

2. Deed, dated January 31, 1906, from Harriet L. Smith, et al. Recorded in Book 10, page 629, of same records.

3. Deed, dated March 7, 1906, from Mart B. Koon. Recorded in Book 85, page 332, of same records.

4. Deed, dated June 8, 1906, from Fred Strauss. Recorded in Book 84, page 98, of same records.

5. Deed, dated June 9, 1906, from Ellen Freede. Recorded in Book 84, page 97, of same records.

6. Deed, dated June 9, 1906, from Elizabeth M. Suttle. Recorded in Book 85, page 387, of same records.

For jurisdiction see General Act of Cession.

Revocable License: License, June 9, 1902, to the Northern Pacific Railway Company to construct and operate a spur track on the reservation.

The Bismarck Telephone and Electric Company maintains a telephone line connecting the post with the city of Bismarck by authority of the Quartermaster General, dated December 20, 1902.

OHIO.

GENERAL ACT OF CESSION.

"*Be it enacted, etc.,*

"SECTION 1. That the consent of the state of Ohio is hereby given in accordance with the seventeenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in this state required for sites for custom houses, court houses, post offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

"SECTION 2. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby, ceded to the United States, for all purposes except the service upon such sites of all civil and criminal process of the courts of this state; but

the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

"SECTION 3. The jurisdiction ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all state, county and municipal taxation, assessment or other charges which may be levied or imposed under the authority of this state. (Passed May 6, 1902. Laws of Ohio, 1902, p. 368.)

CAMP CHASE CEMETERY.

This reservation, in which Confederate dead are buried, contains an area of 2½ acres, and is situated near Columbus, in Franklin County. The purchase was made under authority of an Act of Congress approved February 25, 1879, and the title is as follows:

Deed from William J. Marshall, et al., Executors, etc., dated April 23, 1879, conveying 2½ acres of land. Recorded in Vol. 141, page 528, etc., of the deed records of Franklin County.

For jurisdiction see General Act of Cession.

CEMETERY LOT NEAR CINCINNATI.

This lot contains an area of 0.628 of an acre, and is situated near Cincinnati, on the site formerly known as Camp Dennison, in Hamilton County. The title is as follows:

Deed from Rebecca E. J. Kugler, dated June 3, 1869, conveying above tract. Recorded in Book No. 428, page 297, of the deed records of Hamilton County.

For jurisdiction see General Act of Cession.

COLUMBUS BARRACKS (ARSENAL).

This reservation contains an area of about 70 acres, excluding the lands dedicated for street purposes; and is situated within the corporate limits of the city of Columbus, in Franklin County. See G. O., No. 92, W. D., May 16, 1906, for metes and bounds. The title is as follows:

Deed from Robert Neil and wife, dated February 17, 1863, conveying 77 acres 3 roods and 8 perches of land. Recorded in Vol. 76, page 572, etc., of the deed records of Franklin County.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 21, 1863, which reads as follows:

"Whereas, The United States have appropriated money for the establishment of a national arsenal at Columbus, in the County of Franklin, and State of Ohio, for the deposit and repair of arms and other munitions of war, and for other purposes of a public nature:

"SECTION 1. *Be it enacted, etc.*, That jurisdiction of the lands and their appurtenances, that have been or may be purchased in said County of Franklin for the establishment of the aforesaid arsenal, be and is hereby ceded to the United States of America: *Provided, however*, That all civil and criminal process issued under the author-

ity of the State of Ohio, or any officer thereof, may be executed on said lands and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid.

"SEC. 2. That the lands above described, with their appurtenances and all buildings and other property that may be thereon, shall forever hereafter be exempted from all state, county and municipal taxation and assessment whatever, so long as the same shall remain the property of the United States of America."

See also General Act of Cession.

Deed, June 4, 1903, dedicating to the City of Columbus the portions of the reservation comprised in the streets and highways bordering thereon, pursuant to Joint Resolution of Congress, approved February 10, 1903.

WOODLAND CEMETERY.

This reservation comprises two lots in the City Cemetery situated at Cleveland. The title is as follows:

Certificate of Purchase from the City of Cleveland, dated September 25, 1868, conveying Lots 59 and 60, in Section 10, in Woodland Cemetery. Certificate numbered 1262, signed by C. E. Hill, City Clerk, and recorded in his office at said City of Cleveland.

For jurisdiction see General Act of Cession.

OKLAHOMA.

FORT RENO.

This reservation contains an area of 9,493 acres, and is situated on the North Fork of the Canadian River, in Canadian County. The title is as follows:

Set apart from the public domain by being included within the limits of the Cheyenne and Arapahoe Indian Reservation, by Executive Order dated August 10, 1869. It was proclaimed a military reservation by Executive Order dated July 17, 1883.

Revocable Licenses: License, January 9, 1891, to the Choctaw, Oklahoma and Gulf Railroad Company to enter upon, construct and maintain a railroad upon the reservation.

License, October 11, 1894, to William Sigismond Jr. to erect at his own expense a small frame building for use as post office.

License, March 9, 1896, to Chas. H. Todd to keep small livery stable, and to Maggie Hawkins, laundress, to reside upon the reservation.

License, March 18, 1897, to George Washington Lodge No. 13, Knights of Pythias to erect a lodge building on the reservation.

License, May 28, 1897, to the Choctaw, Oklahoma and Gulf Railway Company to build a spur track upon the reservation.

License, September 23, 1897, to the Missouri, Kansas and Texas Telephone Company to operate a telephone line upon the reservation.

License, January 10, 1898, to the Choctaw, Oklahoma and Gulf Railway Company to extend its spur track on the reservation.

License, March 8, 1898, to the Choctaw, Oklahoma and Gulf Railroad Company to extend and operate its line of railroad through the reservation.

License, August 19, 1903, to the Topeka and El Reno Telephone Company to construct, operate and maintain a telephone line upon the reservation.

FORT SILL.

This reservation contains an area of about 50,920.37 acres, with boundaries as announced in G. O. No. 87, War Department, May 8, 1906. It is situated on Medicine Bluff Creek in Comanche County, on the line of the Chicago, Rock Island and Pacific Railroad, about six miles north of Lawton. Reserved from the public domain originally as an Indian Reservation for the benefit of the Wichita, Kiowa, Comanche, and Apache Indians, a tract of 23,040 acres was, by Executive Order of October 7, 1871, set apart as a military reservation. By Executive Orders of February 26, 1897 (G. O. No. 14, A. G. O., March 15, 1897), and September 20, 1901 (G. O. No. 128, A. G. O., September 27, 1901), the reservation was enlarged by the addition of 26,987.30 acres, and 893.07 acres, respectively, for the purpose of locating thereon certain Apache prisoners of war.

Easement: Act of Congress, approved January 31, 1900, authorized the Chicago, Rock Island and Pacific Railway Company to construct a railway line through the reservation. Location of right of way approved by the Secretary of War, August 13, 1900.

Revocable Licenses: License, September 15, 1890, to the Western Mail and Stage Company to construct a stable in connection with carrying on the mail service.

License, October 6, 1890, to Messrs. Rice and Quinette to conduct a dairy business upon the reservation.

License, August 5, 1898, to J. J. Bailey, mail contractor, to erect a building on the reservation.

License, May 14, 1902, to the Oklahoma City and Western Railroad Company to construct a line of railroad across the reservation.

License, June 30, 1902, to Sam Lee to erect a laundry building upon the reservation.

License, February 18, 1904, to the Lawton, Wichita Mountain and Western Electric Railway Company to construct, operate and maintain an electric railway line on the reservation.

License, July 19, 1906, to The Apache Mission Telephone Co. for telephone line.

OREGON.

SAND ISLAND.

This reservation contains an area of 192.07 acres, according to a survey made prior to 1877. It is a shifting island, comprising parts of Sections 14, 23 and 24, in Township 9 North, Range 11 West, of Willamette Meridian, lying in or near the entrance to the Columbia River. Taken from the public domain and declared a military reservation by Executive Order dated August 29, 1863.

Jurisdiction was ceded to the United States (as also title) by an act of the State Legislature approved October 21, 1864, which provides as follows:

"SECTION 1. There is hereby granted to the United States all right and interest of the State of Oregon in and to the land in front of Fort

Stevens and Point Adams, situate in this State, and subject to overflow between high and low tide, and also the Sand Island, situate at the mouth of Columbia River, in this State, the said island being subject to overflow between high and low tide.

"SEC. 2. The Governor of this State shall cause two copies of this Act to be prepared and certified under the seal of this State, and forward one of such copies to the Secretary of War of the United States, and the other of such copies to the commanding officer of this district of the military department of the Pacific Coast."

Revocable License: License March 25, 1893, to the Columbia River Protective Union to exhibit three range lights on the island.

Leases, May 1, 1905, to Walter L. Pulliam, T. A. O. Stensland, Howard Winter and Hansen & Olesen, of portions of reservation for fishing sites.

FORT STEVENS (POINT ADAMS.)

This reservation contains an area of 1,250.11 acres, and, as a part of the public domain, was reserved for military purposes by Executive Order, dated February 26, 1852, and included within its boundaries fractional sections 5 and 6 and N. ½ of sections 7, 8 and 9, in Townships 8 and 10 North, Range 10 West, Willamette Meridian. Point Adams is at the mouth of the Columbia River, in Clatsop County, 7 miles from Astoria and 105 miles from Portland. It is the site of Fort Stevens. Further evidences of title are:

1. Deed from Cyrus Olney and wife, dated August 10, 1863, conveying River Lot 5 in Section 5, and NE. ¼ of SE. ¼ and River Lots 1 and 2 of Section 6, in Township 8 North, Range 10 West, containing 156.87 acres.

2. Deed from Cyrus Olney, dated February 28, 1870, conveying same premises.

For jurisdiction, etc., see Sand Island.

Revocable Licenses: License, October 7, 1873, to the Treasury Department to build a road through the reservation.

License, March 4, 1874, to the Treasury Department to occupy a portion of the reservation for a light station and to cut timber for a corduroy road.

License, February 8, 1877, to the Treasury Department to occupy and enclose a tract of 40 acres for light house purposes.

License, February 26, 1891, to the Treasury Department to construct a look-out tower, a telephone line to the life-saving station and to build covered davits or cranes on the wharf and to permit surfmen to have free access to the reservation when on duty.

License, March 12, 1906, to Say Toi, to establish and operate a laundry.

PENNSYLVANIA.

GENERAL ACT OF CESSION.

"The jurisdiction of this state is hereby ceded to the United States of America, over all such pieces or parcels of land not exceeding two acres in any one township, ward of city or borough, within the limits of this state, as have been or shall hereafter be selected and acquired

by the United States for the purpose of erecting post offices, custom houses or other structures, exclusively owned by the general government and used for its purposes: *Provided*, That an accurate description and plan of such lands so acquired, verified by the oath of some officer of the general government having knowledge of the facts, shall be filed with the secretary of the commonwealth of this state, as soon as said United States shall have acquired possession of the same: And provided further, that this cession is upon the express condition that the State of Pennsylvania shall so far retain concurrent jurisdiction with the United States in and over all lands acquired or hereafter acquired as aforesaid; that all civil and criminal process issued by any court of competent jurisdiction, or officers having authority of law to issue such process, and all orders made by such court or judicial officers duly empowered to make such orders, and necessary to be served on any person, may be executed upon said land and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid."

(Approved June 13, 1883.) Amended by Act approved March 17, 1905, so as to make the limit "not exceeding ten acres in any one township," etc. Laws of Pennsylvania, 1905, page 45.)

ALLEGHENY ARSENAL ("THE PITTSBURG STORAGE AND SUPPLY DEPOT").

This reservation contains an area of about 33 acres, excluding the tract of about 5 acres which was transferred to the Treasury Department June 1, 1904, under Act of Congress, approved March 3, 1903, for a Marine Hospital Site. It is situated on the east side of the Allegheny River, in Pittsburg, in Allegheny County. The title is as follows:

1. Deed from William B. Foster and wife, dated April 29, 1814, conveying 30 acres of land. Recorded in Book T, page —, of the deed records of Allegheny County, at Pittsburg, May 2, 1814.

2. Deed from Alba Fisk and wife, dated May 13, 1831, conveying 6 acres 2 roods and 36 perches of land. Recorded in Book P 2, Vol. 40, page 601, etc., of same records.

3. Deed from Anthony Dravo and wife, dated June 8, 1833, conveying 1 acre and 0.64 of a perch of land. Recorded in Book V 2, Vol. 45, page 136, of same records.

4. Deed from William F. Hamilton, et al., dated November 26, 1836, conveying right to water, etc. Recorded in Book C 3a, Vol. 52, page 480, etc., of same records.

5. Deed from Alba Fisk and wife, dated June 6, 1837, conveying 6,886 square feet of land. Recorded in Book D 3, Vol. 53, page 400, etc., of same records.

6. Deed from Philip Weisenberger, et al., Trustees, etc., dated April 19, 1867, conveying Lots 1, 2, 3 and 4 of the Borough of Lawrenceville, containing about 10,000 square feet of land. Recorded in Deed Book, Vol. 218, page 396, of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature passed March 19, 1816, and February 14, 1845, which acts provide as follows:

"SECTION 1. *Be it enacted, etc.*, That the consent of the Legislature of the Commonwealth of Pennsylvania is hereby granted to a purchase, which the United States have lately made from William B.

Foster, of a certain tract of land situate on the Allegheny River, about two miles above Pittsburg, bounded as follows: [Here describes land as set out in the Foster deed, *supra.*] For a military station and establishment for the ordnance department: *Provided*, That nothing herein contained shall extend, or be construed to extend, so as to impede or prevent the execution of any process, civil or criminal, under the authority of this State." (Act approved March 19, 1816.)

"SECTION 1. *Be it enacted, etc.*, That the assent of the Legislature of the Commonwealth of Pennsylvania is hereby granted to a purchase made by the United States of certain land from Alba Fisk and wife on the Thirteenth day of May, Eighteen hundred and thirty-one, and also to the purchase of certain other land from Anthony Dravo and wife on the Eighth day of June, Eighteen hundred and thirty-three, and also to the purchase of certain other land from Alba Fisk and wife on the Sixth day of June, Eighteen hundred and thirty-seven, all of which pieces of land are included within the boundaries of the United States Arsenal near Pittsburg and adjoining the piece described in the act to which this is an addition, and containing about Eight Acres, according to the boundaries described in the deeds of the purchase above mentioned and under like terms and conditions as are prescribed in the act to which this is an addition.

"SEC. 2. That if at any time hereafter any further or additional quantity of land shall be purchased by the United States for the use of said arsenal, this act shall be construed to vest in the United States jurisdiction over the same to the same extent as it is vested by this act over the pieces above described." (Approved February 14, 1845.)

This arsenal was abolished by order of the Secretary of War, May 1, 1901.

Easements: Act of Congress, approved February 14, 1853, granted a right of way across the reservation to the Allegheny Valley Railroad Company. Act of June 23, 1874, provided for the extension of a line between the existing line and the Allegheny River. Act of February 28, 1900, granted additional right of way and provided for a siding within the reservation.

The reservation is bisected by a public paved street called Butler street, upon which is located a street-car track.

Revocable licenses: Licenses, November 19, 1885, to the Philadelphia Company to lay a 24-inch pipe through the reservation.

License, June 27, 1887, to the Chartiers Valley Gas Company to lay a 24-inch pipe through the reservation.

License, March 30, 1901, to the city of Pittsburg to lay a water main through the reservation.

License, August 9, 1904, to the Pittsburg Natural Gas Company to lay a 16-inch gas line through the reservation.

License, September 7, 1904, to The Philadelphia Company to maintain a line of poles upon the reservation, heretofore placed and maintained under permission of the post commander.

Lease: February 6, 1907, for five years, of portion to city of Pittsburg for park purposes.

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ALLEGHENY CEMETERY.

(Soldiers' lot.)

This reservation contains an area of 10,272.12 superficial feet of land, and is known as Lot No. 66 in The Allegheny Cemetery, in the City of Pittsburg, in Allegheny County. The title is as follows:

Deed from The Allegheny Cemetery (a corporation), dated March 18, 1875, conveying above lot. Recorded December 17, 1875, in Deed Book, Vol. 354, page 39, of the deed records of Allegheny County.

For jurisdiction see General Act of Cession.

ASHLAND CEMETERY.

(Soldiers' lot.)

This reservation contains 7,740 square feet of ground, and is situated in "Ashland Cemetery," in the Borough of Carlisle and County of Cumberland. The title is as follows:

Deed from Valeria M. Penrose, Trustee, etc., dated September 19, 1878, conveying Lots 212 to 265, inclusive, in Section D of D. S. Ettinger's plan No. 3 of Ashland Cemetery, containing 540 by 16 feet.

Deed given as a substitute for a deed dated in March, 1866, which was lost.

For jurisdiction see General Act of Cession.

CARLISLE BARRACKS.

This reservation contains an area of about 30 acres and 8 perches of land, and is situated near the town of Carlisle, in the County of Cumberland. Purchase of site made by authority of an Act of Congress passed in 1794, and transferred to the Interior Department to be used as a school for Indian children until required by the War Department for military purposes, December 22, 1879. The title is as follows:

Deed from Edmund Physic, Attorney in fact for John Penn and Richard Penn, dated January 13, 1801, conveying above-described tract. Recorded in Book O, Vol. 1, page 79, etc., of the deed records of Cumberland County at Carlisle.

Jurisdiction was ceded by the State of Pennsylvania over additional land secured by the Interior Department for Agricultural Purposes, by an act passed February 15, 1901.

Revocable License: License, August 2, 1884 to the Cumberland Valley Railroad Company by Secretary of Interior, to lay switch on reservation.

CHINA, OR WHITE HALL, CEMETERY.

(Soldiers' lot.)

This reservation contains an area of 1 acre, and is situated on the northwesterly side of the China Hall Public Road, near Bristol, in the Township of Bristol and County of Bucks. The title is as follows:

Deed from George Randall and wife, dated August 30, 1864, conveying 1 acre. Recorded in Deed Book No. 125, page 176½, etc., of the deed records of Bucks County.

For jurisdiction see General Act of Cession.

FRANKFORD ARSENAL.

This reservation contains an area of about 62 acres and 38 perches of land, and is situated in the City of Philadelphia. The title is as follows:

1. Deed from Frederick Fraley and wife, dated May 27, 1816, conveying 20 acres and 34 perches of land, with bridge privileges. Recorded in Deed Book M R, No. 7, page 717, etc., of the deed records of Philadelphia County.

2. Deed from Robert Kennedy, dated April 8, 1837, conveying 3 acres and 6 perches of land. Recorded in Book S H F, No. 11, page 721, etc., of same records.

3. Deed from William S. Haines and wife, dated December 27, 1849, conveying in the aggregate 38 acres and 158 perches of land. Recorded in Book G W C, No. 31, page 515, etc., of same records.

Jurisdiction was ceded to the United States by Acts of the State Legislature approved June 13, 1840, and April 6, 1849, which provide as follows:

"SEC. 3. That the jurisdiction of the State of Pennsylvania is hereby ceded to the United States of America for the purpose of erecting and maintaining thereon Arsenals, Magazines, and other necessary buildings over all those certain tracts, pieces, or parcels of land lying and being in the town of Oxford and in the township of Passyunk in the County of Philadelphia, * * * being bounded as follows, to wit: [Here describes the lands purchased by the United States from Frederick Fraley and Robert Kennedy.] The evidence of the several purchases of the land which is hereby ceded being recorded in the Office of the Clerk of the County of Philadelphia.

"SEC. 4. The jurisdiction so ceded to the United States of America is granted upon the express condition that the said State of Pennsylvania shall retain a concurrent jurisdiction with the United States in and over the tracts of land aforesaid so far as that civil process in all cases and such criminal process as may issue under the authority of the State of Pennsylvania against any person or persons charged with the crimes committed without the said tracts of land may be executed thereon in the same way and manner as if this jurisdiction had not been ceded. The United States are to retain such jurisdiction so long as said tract of land shall be used for the purposes expressed in the foregoing section and no longer." (Act approved June 13, 1840.)

"1. *Resolved, etc.*, That the consent of this Legislature be, and the same is hereby, given for the purchase by the United States of any lands not exceeding forty acres adjoining the United States Arsenal at Frankford, in the County of Philadelphia, for the enlargement of said Arsenal and the erection of further buildings and machinery for such uses as the proper authorities of the United States may deem proper, and that all the right, title, property, and interest of this Commonwealth in and to the said land adjoining the United States Arsenal as aforesaid, together with all the buildings, improve-

ments, houses, forts, arsenals and other needful buildings now on or to be put on said property shall be and are hereby ceded to and vested in the United States of America as fully, absolutely, and to the same extent as this Commonwealth now holds and is entitled to the same: *Provided*, That the Commonwealth may reoccupy and repossess the same as they have occupied and possessed the same heretofore whenever the United States of America shall cease to occupy the same for military purposes as a fort, magazine, arsenal, or with other needful buildings for the same: *And provided*, That the jurisdiction over the said premises in civil and criminal cases be the same as before the passing of this resolution." (Act approved April 6, 1849.)

Revocable Licenses: License, November 12, 1886, to the Kensington and Tacony Railroad Company to cross the reservation.

License, October 2, 1889, to the Pennsylvania Company to construct a branch upon the reservation.

GETTYSBURG NATIONAL PARK.

This reservation contains an approximate area, at this date (Nov. 16, 1906), of 1,650 acres. It embraces the most prominent portions of the lands upon which the battle of Gettysburg was fought on July 1, 2 and 3, 1863, and is situated near the town of Gettysburg, in Adams County. Steps were taken to preserve the site and mark with suitable monuments the positions occupied by the Union troops during the battle, by Acts and Resolutions of Congress as follows:

Acts approved March 3, 1873; June 9, 1880; March 3, 1887; August 1, 1888; October 2, 1888; March 2, 1889; March 3, 1893. Resolution passed June 5, 1894. Acts approved August 18, 1894; February 11, 1895, and June 10, 1896, the Act of February 11, 1895, being "An Act to establish a National Military Park at Gettysburg, Pennsylvania."

The title to lands so far acquired is as follows:

1. Deed from The Gettysburg Battlefield Memorial Association, dated February 4, 1896, conveying 124 tracts of land, aggregating 521.77 acres. Recorded in Book X X, page 149, etc., of the deed records of Adams County

2. Deed from Heirs of Mary Jane Weikert, dated August 8, 1893, conveying 41,920 square feet of land. Recorded in Book T T, page 378, etc, of same records.

3. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 420, etc., of same records.

4. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 402, etc., of same records.

5. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 416, etc., of same records.

6. Deed from David Zentz and wife, dated July 14, 1893, conveying 33,495 square feet of land. Recorded in Book T T, page 383, etc., of same records.

7. Deed from John A. Wolfe and wife, dated July 14, 1893, conveying 24,618 square feet of land. Recorded in Book T T, page 393, etc., of same records.

8. Deed from William H. Heagey and wife, dated July 14, 1893, conveying 12,065 square feet of land. Recorded in Book T T, page 390, etc., of same records.

9. Deed from William H. Heagey and wife, dated July 14, 1893, conveying 3.55 acres. Recorded in Book T T, page 391, etc., of same records.

10. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 53,060 square feet of land. Recorded in Book T T, page 404, etc., of same records.

11. Deed from Jacob Masonheimer, dated June 27, 1893, conveying 25,800 square feet of land. Recorded in Book T T, page 385, etc., of same records.

12. Deed from Isaiah A. Trostle, Attorney in fact, etc., dated June 27, 1893, conveying 88,625 square feet of land. Recorded in Book T T, page 426, etc., of same records.

13. Deed from Gettysburg Battlefield Memorial Association, dated July 12, 1893, conveying 625 square feet of land. Recorded in Book T T, page 400, etc., of same records.

14. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 412, etc., of same records.

15. Deed from Widow and Heirs of John Bender, dated July 10, 1893, conveying 851 square feet of land. Recorded in Book T T, page 424, etc., of same records.

16. Deed from Samuel M. Bushman, dated June 7, 1893, conveying 12,000 square feet of land. Recorded in Book T T, page 399, etc., of same records.

17. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 414, etc., of same records.

18. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 406, etc., of same records.

19. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 408, etc., of same records.

20. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 410, etc., of same records.

21. Deed from Gettysburg Battlefield Memorial Association, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 418, etc., of same records.

22. Deed from John H. Miller and wife, dated June 2, 1893, conveying 16,860 square feet of land. Recorded in Book T T, page 422, etc., of same records.

23. Deed from Anna L. Young and husband, dated June 7, 1893, conveying 625 square feet of land. Recorded in Book T T, page 397, etc., of same records.

24. Deed from George Spangler and wife, dated June 8, 1893, conveying 625 square feet of land. Recorded in Book T T, page 395, etc., of same records.

25. Deed from J. Emory Bair and wife, dated June 27, 1893, conveying 625 square feet of land. Recorded in Book T T, page 381, etc., of same records.

26. Deed from Wellington J. Swope and wife, dated June 28, 1893, conveying 57,230 square feet of land. Recorded in Book T T, page 388, etc., of same records.

27. Deed from Melchoir Wolf and wife, dated June 28, 1893, conveying 10,300 square feet of land. Recorded in Book T T, page 386, etc., of same records.

28. Deed from Charles F. Starner and wife, dated November 23, 1893, conveying 5.16 acres of land. Recorded in Book U U, page 148, of same records.

29. Deed from James A. Felix and wife, dated November 24, 1893, cenveying 0.75 acre of land. Recorded in Book U U, page 150, etc., of same records.

30. Deed from Agnew Crawford, et al., dated February 5, 1894, conveying 46 acres and 147 perches of land. Recorded in Book U U, page 449, etc., of same records.

31. Deed from W. Nelson Flaherty and wife, dated November 13, 1894, conveying 0.55 acre of land. Recorded in Book V V, page 70, etc., of same records.

32. Deed from Simon J. Codori and wife, dated November 13, 1894, conveying 0.61 acre of land. Recorded in Book V V, page 72, etc., of same records.

33. Deed from George W. Wolf and wife, dated November 15, 1894, conveying 0.06 acre of land. Recorded in Book V V, page 74, etc., of same records.

34. Deed from George J. Benner, dated April 2, 1894, conveying 161 acres and 7 perches of land, with reservations. Recorded in Book U U, page 339, etc., of same records.

35. Deed from Sarah A. C. Plank and husband, dated August 28, 1894, conveying 1.88 acres of land. Recorded in Book U U, page 541, etc., of same records.

36. Deed from J. O. Blocker and wife, dated September 29, 1894, conveying 7.12 acres of land. Recorded in Book U U, page 579, etc., of same records.

37. Deed from L. E. Kumerant and wife, et al., dated March 30, 1895, conveying 0.71 acre of land. Recorded in Book V V, page 347, etc., of same records.

38. Deed from Maria S. Shultz, dated April 11, 1895, conveying 0.04 acre of land. Recorded in Book V V, page 474, etc., of same records.

39. Deed from John B. McPherson, dated April 30, 1895, conveying 58 acres and 29 perches of land. Recorded in Book V V, page 477, etc., of same records.

40. Deed from Oscar D. McMillan and wife, dated June 15, 1895, conveying 1.7 acres of land. Recorded in Book V V, page 570, etc., of same records.

41. Deed from Calvin Gilbert and wife, dated July 2, 1895, conveying 632 square feet of land. Recorded in Book V V, page 564, etc., of same records.

42. Deed from The Theological Seminary of the General Synod of the Evangelical Lutheran Church in the United States, dated July 18, 1895, conveying 1.68 acres of land. Recorded in Book V V, page 562, etc., of same records.

43. Deed from Selma J. Drum and husband, dated August 13, 1895, conveying 0.1 acre of land. Recorded in Book W W, page 193, etc., of same records.

44. Deed from James A. Felix and wife, dated September 2, 1895, conveying 0.048 acre of land. Recorded in Book V V, page 560, etc., of same records.

45. Deed from Lucinda B. Bushman and husband, dated September 13, 1895, conveying 9.42 acres of land. Recorded in Book W W, page 167, etc., of same records.

46. Deed from J. Emory Bair and wife, dated October 10, 1895, conveying 0.11 acre of land. Recorded in Book W W, vol. 39, page 169, etc., of same records.

47. Deed from John B. Whitney, et al., Executors, etc., dated November 7, 1895, conveying 1,900 square feet of land. Recorded in Book W W, page 498, etc., of same records.

48. Deed from The Gettysburg Water Company, dated November 16, 1895, conveying 400 square feet of land. Recorded in Book W W, vol. 49, page 501, etc., of same records.

49. Deed from J. L. Sherfy and wife, dated December 21, 1895, conveying 400 square feet of land. Recorded in Book W W, page 333, etc., of same records.

50. Deed from The Gettysburg Battlefield Memorial Association, dated April 8, 1896, conveying 0.31 acre of land. Recorded in Book X X, page 267, etc., of same records.

51. Deed from Amos Leister and wife, dated May 20, 1896, conveying 0.059 acre of land. Recorded in Book X X, page 216, etc., of same records.

52. Deed from The Gettysburg and Harrisburg Railway Company, dated June 5, 1896, conveying 8.42 acres of land. Recorded in Book X X, page 341, etc., of same records.

53. Deed from William Patterson and wife, dated June 29, 1896, conveying 1.13 acres of land. Recorded in Book X X, page 302, etc., of same records.

54. Deed from George F. Basehore and wife, dated August 21, 1896, conveying 0.12 acre of land. Recorded in Book X X, page 425, etc., of same records.

55. Deed from George Spangler and wife, dated October 8, 1897, conveying 625 square feet of land. Recorded in Book Y Y, page 379, etc., of same records.

56. Deed from Nathaniel Lightner and wife, dated October 22, 1897, conveying 0.012 acre of land less 15 square feet. Recorded in Book Y Y, page 414, etc., of same records.

57. Deed from Samuel O. Robinson and wife, dated November 13, 1897, conveying 8 acres and 22 perches of land less 25,800 square feet with reservations. Recorded in Book Z Z, page 55, etc., of same records.

58. Deed from Samuel M. Bushman, dated December 16, 1897, conveying 8.964 acres of land. Recorded in Book Z Z, page 53, etc., of same records.

59. Deed from Chas. A. Richardson, dated September 6, 1897, conveying 400 square feet of land less 100 square feet. Recorded in Book 58, page 115, of same records.

60. Deed from the Gettysburg Water Company, dated January 8, 1898, conveying 0.035 acre of land. Recorded in Book Y Y, page 560, of same records.

61. Deed from Calvin Gilbert, dated May 23, 1898, conveying 0.11 acre of land. Recorded in Book Y Y, page 612, etc., of same records.

62. Deed from Lucinda Bender, et al., dated June 21, 1898, conveying 0.22 acre. Recorded in Book Y Y, page 614, etc., of same records.

63. Deed from Alex. W. Little, dated September 20, 1898, conveying 0.18 acre. Recorded in Book Z Z, page 304, of same records.

64. Deed from J. P. S. Tobin, dated October 8, 1898, conveying 2,968 square feet of land. Recorded in Book Z Z, page 311, of same records.

65. Deed from William Patterson, dated January 19, 1899, conveying 48.3 acres of land. Recorded in Book 53, page 25, etc., of same records.

66. Deed from Henry Spangler and wife, dated April 11, 1899, conveying 25.32 acres of land. Recorded in Book 53, page 171, of same records.

67. Deed from George Trostle, Administrator etc., dated January 26, 1899, conveying 104.3 acres of land. Recorded in Book 53, page 27, etc., of same records.

68. Deed from Samuel M. Bushman, dated June 29, 1899, conveying 17.27 acres of land. Recorded in Book 53, page 286, of same records.

69. Deed from James E. Swisher, dated November 9, 1899, conveying 22.6 acres of land. Recorded in Book 53, page 453, of same records.

70. Deed from Edward H. Culp, Administrator etc., dated April 27, 1900, conveying 40.95 acres. Recorded in Book 55, page 14, of same records.

71. Deed from Wm. W. Hafer and wife, dated July 6, 1900, conveying 40 acres. Recorded in Book 55, page 130, of same records.

72. Deed from Basil Biggs and wife, dated September 8, 1900, conveying 48.07 acres of land. Recorded in Book 55, page 111, of same records.

73. Deed from Peter D. Swisher, dated December 11, 1900, conveying 2.42 acres of land. Recorded in Book 55, page 260 etc., of same records.

74. Deed from Francis A. Althoff and wife, dated December 11, 1900, conveying 12.76 acres of land. Recorded in Book 54, page 476, of same records.

75. Deed from Peter D. Swisher, dated February 16, 1901, conveying 9.2 acres of land. Recorded in Book 55, page 333, of same records.

76. Deed from Wm. H. Tipton and wife, dated December 31, 1901, conveying two tracts of land, aggregating 14.2 acres of land. Recorded in Book 55, page 524, of same records.

77. Deed from John T. Cox et al., Trustees, dated March 25, 1902, conveying a slab or memorial to General Zook, standing on land which the United States holds in fee.

78. Deed from Jeremiah Bender, dated July 22, 1902, conveying 13,061 square feet of land. Recorded in Book 57, page 48, of same records.

79. Deed from John S. Forney, dated July 22, 1902, conveying 0.57 acre. Recorded in Book 57, page 46, of same records.

80. Deed from the Heirs of Amos Leister, dated September 1, 1902, conveying 0.08 acre. Recorded in Book 57, page 102, of same records.

81. Deed from Benjamin Redding and wife, dated August 27, 1902, conveying 10 acres and 91 perches of land. Recorded in Book 57, page 104, of same records.

82. Deed from John E. C. Miller and wife, dated November 24, 1902, conveying 33⅓ acres. Recorded in Book 57, page 252, of same records.

83. Deed from John Rosensteel, dated February 28, 1903, conveying 38 perches of land. Recorded in Book 56, page 515, etc., of same records.

84. Deed from Emanuel Weikert and wife, dated May 19, 1903, conveying 2.56 acres of land. Recorded in Book 58, page 149, etc., of same records.

85. Deed from Martin Winter, dated February 13, 1902, conveying 7 acres, 94.5 perches, more or less. Recorded in Book 56, page 246, of same records.

86. Deed from Mary Ann Pfeffer, dated May 12, 1903, conveying 10.25 acres. Recorded in Book 58, page 188 etc., of same records.

87. Deed from Sarah A. C. Plank and husband, dated September 23, 1903, conveying 24.3 acres. Recorded in Book 59, page 8, of same records.

88. Deed from Henry A. Wolf and wife, et al., dated October 7, 1903, conveying 0.6 acre. Recorded in Book 59, page 104, of same records.

89. Deed from Newton A. Tawney and wife, dated December 19, 1903, conveying .67 acre. Recorded in Book 58, page 537 etc., of same records.

90. Deed from Calvin P. Krise, dated March 3, 1904, conveying 3 acres, 136 perches. Recorded in Book 58, page 495 etc., of same records.

91. Deed from George A. Thayer and George W. Morse, surviving trustees, dated June 9, 1904, conveying site upon which is erected a monument to the 2nd Massachusetts Infantry, containing 576 square feet. Recorded in Book 59, page 125, of same records.

92. Deed from E. Layton Trostle and wife, dated June 9, 1904, conveying 2 acres. Recorded in Book 59, page 134, etc., of same records.

93. Deed from Andrew J. Smith, dated August 12, 1904, conveying 3.28 acres. Recorded in Book 59, page 171, of same records.

94. Decree of United States Circuit Court, Eastern District of Pennsylvania, in United States *v.* Five Tracts of Land; rendered October 2, 1900, condemning three tracts, aggregating 40.47 acres. Money paid into court December 21, 1900.

95. Deed from Edward H. Culp, Administrator, etc., dated September 16, 1904, conveying 7.32 acres. Recorded in Deed Book 59, pages 217, et seq., of same records.

96. Deed from John S. Forney, dated December 6, 1904, conveying two tracts aggregating 2.25 acres. Recorded in Deed Book 59, page 319, of same records.

97. Decree of condemnation of 9 acres and 83 perches of land belonging to Florence and Georgiana Cunningham, Circuit Court of the United States, Middle District of Pennsylvania; rendered December 12, 1904. Money paid into court December 31, 1904. Deed, dated Sept. 18, 1905, covering same premises. Recorded Book 59, p. 556 et seq., of same records.

98. Deed from Henry O. Fowler, et al., as Receivers of the Gettysburg Springs and Hotel Company, dated December 24, 1904, conveying 4 certain parcels of land aggregating 36.56 acres. Recorded in Deed Book 60, pages 22 to 30, of same records.

99. Deed from Robert Sheads, dated June 20, 1905, conveying 0.331 acre. Recorded in Deed Book 59, page 403, of same records.

100. Deed from J. Emory Bair and wife, dated May 13, 1905, conveying, in the aggregate, 31.22 acres. Recorded in Deed Book 59, page 373, of same records.

101. Deed from Mary E. Bridges and husband, et al., dated April 17, 1905, conveying 8.6 acres. Recorded in Deed Book 59, page 375, et seq., of same records.

102. Decree of Condemnation in United States Circuit Court, Middle District of Pennsylvania, of 6.59 acres of land, the property of the James McAllister heirs. Decree rendered May 3, 1905. Money paid into court June 30, 1905. Deed, dated June 15, 1906, covering same premises. Recorded in Book 60, p. 587, of same records.

103. Deed from Henry O. Towles, et al., Receivers of the Gettysburg Springs and Hotel Company, dated April 18, 1905, conveying two parcels of land, aggregating 98.94 acres. Recorded in Deed Book 60, page 228, et seq., of same records.

104. Deed from Sabina C. Patterson and husband, dated September 20, 1905, conveying 70.01 acres of land. Recorded in Deed Book 60, page 488, of same records.

105. Deed from Howard L. Diehl and wife, dated July 7, 1905, conveying 11.498 acres. Recorded in Deed Book 59, page 424, of same records.

106. Deed from J. Emory Bair and wife, dated September 10, 1906, conveying 1.144 acres. Recorded in Deed Book 62, page 40, of same records.

Jurisdiction was ceded to the United States by acts of the State Legislature, approved May 7, 1889, and June 26, 1895, as follows:

"Whereas Legislation is required to enable the United States to obtain title to property within the Commonwealth of Pennsylvania for the purpose of erecting monuments or tablets to mark the position occupied by the several commands of the Army of the United States engaged at the battle of Gettysburg, and to enable the government of the United States to properly indicate and mark positions held by federal and confederate armies during said battle, and for the preservation, for historical and other purposes, of the said battlefield; therefore,

"Section 1. *Be it enacted, etc.*, That the consent of the Commonwealth of Pennsylvania is hereby given to the acquisition, by the United States, of such pieces and tracts of land situated upon and in the neighborhood of the battlefield of Gettysburg, in the State of Pennsylvania, as may be selected by the Secretary of War, or such officer as he may direct, for the purpose of erecting monuments or tablets for the proper marking of the positions of each of the several commands of the army of the United States engaged in the battle of Gettysburg, for opening and constructing roads and avenues, in connection with the positions occupied by the federal or confederate forces engaged in said battle, for the preservation of the grounds covered by said battlefield for historical and other purposes, and for

making such other improvements in connection with said battlefield as the Government of the United States may, from time to time deem proper. For the purposes aforesaid, the United States shall have, hold, use, occupy and own said lands, when purchased or acquired, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

"SEC. 2. The jurisdiction of the State of Pennsylvania in and over the said lands, when acquired by the United States, shall be, and the same is hereby, ceded to the United States and shall continue so long as the said lands shall remain the property of the United States, and no longer, and the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied under the authority of this Commonwealth: *Provided, however*, That the Commonwealth of Pennsylvania shall, and hereby does, retain concurrent jurisdiction with the United States, in and over said lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the authority of the State of Pennsylvania against any person or persons charged with crimes or misdemeanors, committed within said State, including said lands, may be executed therein in the same manner as if consent to acquisition had not been given, or jurisdiction ceded, except so far as such process may affect the personal or real property of the United States."

(Sections 3 and 4 provide for the condemnation of property where the United States can not agree with the owner as to price, etc.) (Act approved May 7, 1889. Laws of Penna. 1889, p. 106.)

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of this Commonwealth is hereby ceded to the United States of America over the public roads, and parts of the same hereinafter specified and described, included within the limits of the National Park at Gettysburg, as defined by the act of Congress, entitled 'An act to establish a National Military Park at Gettysburg, Pennsylvania,' approved February eleven, one thousand eight hundred and ninety-five, to wit:

"First. That part of the public road known as the Carlisle road, extending from the borough line of Gettysburg northward by the various courses of said road five thousand six hundred feet to the boundary of the aforesaid National Park, as defined in the said act of Congress.

"Second. That part of the public road known as the Newville or Bendersville road, extending from its junction with the aforesaid Carlisle road northwestward two thousand four hundred feet to the boundary of the aforesaid National Park.

"Third. That part of the public road known as the Harrisburg or Heidlersburg road, extending from the borough line of Gettysburg northward by the various courses of said road five thousand two hundred and fifty feet to the boundary of said National Park.

"Fourth. That part of the public road known as the Hunterstown road, extending from its junction with the York pike, near Gettysburg, northeastward three thousand six hundred and ninety feet to the boundary of the aforesaid National Park.

"Fifth. That part of the public road known as the Hanover road, extending from the borough line of Gettysburg at Rock Creek southeastward five thousand seven hundred feet to the boundary of said National Park.

"Sixth. That part of the public road known as the Taneytown road, extending from the borough line of Gettysburg southward nine thousand four hundred feet to the boundary of the aforesaid National Park.

"Seventh. That public road connecting the Taneytown road and the Baltimore pike, extending from the Taneytown road at the common corner of Patterson and Baker's lands on that road eastward by sundry courses four thousand three hundred feet to the Baltimore pike near McAllister's Hill.

"Eighth. That public road known as the Wheatfield road, extending from its junction with the Taneytown road at Sedgwick Post-Office westward by sundry courses and crossing the Emmitsburg road and Confederate Avenue eight thousand five hundred and fifty feet to the boundary of the aforesaid National Park near the southwest corner of Martin's Woods.

"Ninth. That part of the public road known as the Emmitsburg road, extending from the crossing of the Wheatfield road at the Peach Orchard southwestward seven thousand eight hundred feet or more to the boundary of the aforesaid National Park.

"Tenth. That part of the public road known as the Hagerstown road, extending from the borough line of Gettysburg southwestward six thousand two hundred feet to the boundary of the aforesaid National Park.

"Eleventh. That part of the public road known as the Herster's Mill road, which begins at the Hagerstown road about a furlong west of Reynolds Avenue, extending thence northwestward by sundry courses, and crossing Willoughby run, four thousand feet to the boundary of the aforesaid National Park.

"Twelfth. That part of the public road which begins at the Chambersburg pike at Herr's tavern, extending thence southward two thousand feet to the boundary of the aforesaid National Park.

"Thirteenth. That part of the public road known as the Mummasburg road, extending from the borough line of Gettysburg northwestward six thousand three hundred feet to the boundary of the aforesaid National Park.

"Fourteenth. That public road connecting the Mummasburg road with the Chambersburg pike, beginning at the Mummasburg road on the summit of Seminary Ridge and extending thence southward by sundry courses three thousand eight hundred feet, crossing the railroad just east of where the Fifty-sixth Pennsylvania regiment fired the first musket in the battle, to the Chambersburg pike, about a furlong from where Reynolds fell: *Provided, nevertheless*, That this cession is upon the express condition that the Commonwealth of Pennsylvania so far retains concurrent jurisdiction with the United States over said roads and parts of roads above described, as that all civil and criminal process issued under the authority of this Commonwealth may be executed thereon in like manner as if this act had not been passed: *Provided further*, That all offenses against the criminal laws of Pennsylvania upon said roads or parts of roads shall remain, as before, cognizable in the Courts of this Commonwealth, but nothing herein contained shall in anywise interfere with the jurisdiction of the United States over any matter embraced in the act of Congress establishing said National Park, approved February eleventh, one thousand eight hundred and ninety-five, nor with any

laws, rules or regulations which have been or may be adopted by the Government of the United States for the preservation and protection of its property and rights on said ceded roads and parts of roads, and proper maintainance of good order thereon."

(Act approved June 26, 1895. Laws of Penna., 1895, p. 371.)

See Appendix, page 424.

GETTYSBURG NATIONAL CEMETERY.

This reservation contains an area of 17 acres, and is situated at Gettysburg, in Adams County. The title is as follows:

Deed from David Wills, President of Soldiers' National Cemetery, for the Soldiers' National Cemetery at Gettysburg, Pa., dated April 18, 1872, conveying said 17 acres of land. Recorded in Book D D, folio 216, etc., of the deed records of Adams County.

Cession of jurisdiction implied by an act of the State Legislature giving consent to the acquisition by the United States of said Cemetery property, approved April 14, 1868, which act provides as follows:

"Whereas, By an act of the Thirty-ninth Congress of the United States, entitled 'An Act to establish and protect National Cemeteries,' approved February twenty-second, one thousand eight hundred and sixty-seven, Congress has adopted a uniform system for the management and care of all the soldiers' national cemeteries throughout the United States, and made provision for their maintainance: therefore,

"SECTION 1. *Be it enacted, etc.*, That the board of commissioners having charge and care of the Soldiers' National Cemetery at Gettysburg, are hereby authorized and empowered to transfer all the right, title, interest and care of said Soldiers' National Cemetery, upon the completion of the same, to the government of the United States, the Commonwealth of Pennsylvania hereby ceding and relinquishing to the United States all its title to the grounds and property of the said cemetery, vested in it for the States which participated in the establishment of said National Cemetery; this cession being made upon the condition that the United States Government take upon itself the management and care of the said cemetery, and make provision for its maintainance.

* * * * * * *

"SEC. 3. That the governor of this Commonwealth is hereby authorized and empowered to do all acts and execute all papers upon behalf of this Commonwealth, necessary to consummate the cession, and to cause a copy of this act to be forwarded to the governors of the several States who have appointed Commissioners, and also to the board of Commissioners having charge of The Soldiers' National Cemetery at Gettysburg, and to the President, the Senate and House of Representatives of the United States."

* * * * * * *

(Act approved April 14, 1868.)

LAFAYETTE CEMETERY.

(Soldiers' lot.)

This Lot is situated in The LaFayette Cemetery in the City of Philadelphia, and is known and designated as Lot No. 42, containing 80 square feet of land. The title is as follows:

Deed from Mary Sutherland, et al., to Burton Kollock; Assigned by Burton Kollock to the Union Volunteer Refreshment Saloon Committee, and by the latter assigned to the United States, June 7, 1875, transferring above Lot. Recorded in Book F T W No. 231, page 342, etc., of the deed records of the City and County of Philadelphia.

For jurisdiction see General Act of Cession.

LEBANON CEMETERY.

(Soldiers' lot.)

This reservation contains an area of about 4,480 square feet, and is situated in The Lebanon Cemetery of Philadelphia, in the City of Philadelphia. The title is as follows:

Deed from Jacob C. White and wife, dated June 1, 1867, conveying 56 Lots in Section D, of The Lebanon Cemetery of Philadelphia, numbered 195 to 202, inclusive; 211 to 218, inclusive; 227 to 234, inclusive; 243 to 250, inclusive; 259 to 266, inclusive; 275 to 282, inclusive; and 291 to 298, inclusive; containing about 4,480 square feet of land. Recorded in Book J T O No. 60, page 15, etc., of the deed records of the City and County of Philadelphia.

For jurisdiction see General Act of Cession.

MECHANICS' CEMETERY.

(Soldiers' lot.)

This reservation embraces Lots 1, 2, 3, 4, 5 and 6, in Division B, Section 14, of Mechanics' Cemetery, and is situated in what was formerly Islington Park, in Penn Township, now City of Philadelphia. The title is as follows:

Deed from The United American Mechanics and United Daughters of America Cemetery Association, dated October 16, 1874, conveying the above-described property, with right of way, etc.

For jurisdiction see General Act of Cession.

FORT MIFFLIN.

This reservation is situated in the Delaware River, near League Island, within the corporate limits of the City of Philadelphia. It originally contained an area of about 317 acres; but it was reduced by the sale of 49.707 acres, August 29, 1899, to the International Navigation Company, under authority of Act of Congress of January 6, 1893. By letters of the Secretary of War, dated July 31, 1895, June 21, 1898, September 29, 1899, and May 6, 1905, portions of the remaining lands were transferred to the Navy Department for use in connection with the Naval Magazine at that place—leaving under control of the War Department the southerly portion of the reservation, including Fort Mifflin. The title is as follows:

1. Act of the State Legislature approved April 15, 1795, ceding to the United States an island in the Delaware River, called "Mud Island."

2. Deed from the Philadelphia Board of Health, dated August 5, 1808, conveying "The Lazaretto" lands on State Island containing 6 acres 3 roods and 25 perches of land. Recorded in Book E F, No. 31, page 320, etc., of the deed records of the City and County of Philadelphia. (Sale authorized, without specifying to whom, by act of the State Legislature approved February 14, 1801.)

3. Deed from John W. Ashmead and wife, dated March 23, 1851, conveying 98 acres and 11 perches of land. Recorded in Book G W C, No. 91, page 491, etc., of same records.

Jurisdiction over Mud Island was ceded to the United States by an act of the State Legislature as cited above, which act is as follows:

"SECTION 1. *Be it enacted, etc.*, That all the right, title, property, and interest of this Commonwealth in and to the island commonly called Mud Island, situate in the River Delaware, together with all the improvements thereon erected, placed, or being, shall be, and hereby are, ceded to and vested in the United States of America, as fully, absolutely, and to the same extent, as this Commonwealth now holds and is entitled in and to the same: *Provided Always, Nevertheless*, That if the said United States shall not accept the same within one year from the passing of this act, then, and in that case, the cession hereby made shall be absolutely void, and of no effect: *Provided further*, That the State of Pennsylvania may at all times occupy the said island and fortifications, whenever the same shall not be possessed by a military force under the United States: *And provided further*, That the jurisdiction of the State of Pennsylvania over the said island, in civil and criminal cases, be the same as before the passing of this act." (Act approved April 15, 1795.)

Cessions of jurisdiction over portions of the reservation acquired subsequently to the cession of Mud Island have not been found.

Revocable Licenses: License, November 5, 1880, to the Treasury Department to erect a set of range lights on the reservation.

License, November 16, 1882, to the Baltimore and Ohio Telegraph Company to land cable and erect poles on the reservation.

ODD FELLOWS' CEMETERY.

(Soldiers' lot.)

This reservation contains an area of about 9,040 square feet of land and is situated in Odd Fellows' Cemetery on north side of Islington Lane, in Penn Township, now City of Philadelphia. The title is as follows:

Deed from the Odd Fellows' Cemetery Company of Philadelphia, dated April 27, 1868, conveying above property. Recorded in Book J T O No. 151, page 354, etc., of the deed records of the City and County of Philadelphia.

For jurisdiction see General Act of Cession.

PHILADELPHIA NATIONAL CEMETERY.

This reservation contains an area of 13 acres 1 rood and 11.7 perches of land, and is situated at Germantown, within the corporate limits of the City of Philadelphia, being the west corner of Haines Street and Limekiln Turnpike Road in Twenty-second Ward of said City. The title is as follows:

Deed from Henry G. Freeman and wife, dated January 26, 1885, conveying above tract. Recorded in Book G. G. P., No. 20, page 127, etc., of the deed records of the City and County of Philadelphia.

For jurisdiction see General Act of Cession.

PRESQUE ISLE.

This reservation contains an area of about 2,024 acres, and is a peninsula lying to the northward of and inclosing the bay of Presque Isle, commanding the entrance to the harbor of Erie, in Erie County. The title is as follows:

Deed from "The Marine Hospital of Pennsylvania," dated May 25, 1871, conveying the above 2,024 acres of land. Recorded in Book No. 40, page 634, etc., of the deed records of Erie County.

Revocable lease, July 8, 1905, for five years, of one acre to Erie Yacht Club of Erie, Pennsylvania, to be used for storing yachts.

Consent to the purchase of said land by and jurisdiction ceded to the United States by acts of the State Legislature approved April 18, 1795, and May 11, 1871, which acts provide as follows:

"SEC. 3. *And be it further enacted, etc.*, That the said Commissioners shall also survey or cause to be surveyed, previously to and exclusively of the survey of the said town lots and outlets, one lot of sixty acres on the southern side of the harbor of Presque Isle one moiety thereof upon the bank, and the other moiety below the bank comprehending the point at the entrance of the harbor, one lot of thirty acres on the peninsula, at or near the entrance of the harbor, and one other lot on the peninsula, to contain one hundred acres, for the accommodation and use of the United States, in erecting and maintaining forts, magazines, arsenals and dockyards thereon, and in such other improvements as the United States may judge proper to make for their advantage and convenience; and the situations and forms of the said three lots shall be chosen and fixed with a special reference to the uses aforesaid by the said Commissioners, and the engineer who shall be employed by the United States, if any such shall be appointed and shall attend for that purpose; and the said Commissioners shall with all convenient despatch, return and file in the office of the Secretary of the Commonwealth, a draft of the location and survey of the said three last-mentioned lots, and the said draft being approved by the Governor, and recorded by the Secretary, shall be deposited in the office of the Surveyor-General, and it shall be lawful for the United States at any time thereafter to take possession of and occupy the said three last-mentioned lots, and thereon to erect, establish and maintain all necessary forts, magazines, arsenals and dockyards, and to make such other improvements thereon, as they may judge proper, and the same to continue to possess, occupy and hold so long as they shall deem it expedient to main-

tain and shall actually maintain a fort, garrison or other military establishment at or near Presque Isle and no longer: *Provided, Always*, That if the Mill seats on the creek running near the ruins of the old French fort should fall within the cessions hereby made to the United States, the same shall nevertheless be, and hereby are, reserved for the use of this State with the right of erecting mills thereon, but no buildings, mills excepted, shall be erected within six hundred yards of the centre of any fort which shall be erected by the United States, on either of the lots ceded to them as aforesaid: *Provided also*, That it shall be lawful to lay out and open convenient roads through such parts of the said three lots as the reasonable accommodation of the State or its citizens may require without injury to the United States, with respect to the object of the cession; and it is the express intent and meaning of this act, that nothing herein contained shall be deemed, construed, or in any wise taken to cede and transfer unto the United States the jurisdiction or right of soil in and to the said three last-mentioned lots, but only the occupancy and use thereof for the purposes aforesaid." (Act approved April 18, 1795.)

"SECTION 1. *Be it enacted, etc.*, That the sum of thirty thousand dollars is hereby appropriated to the Marine Hospital at Erie, for the purpose of fitting the building for the reception of patients and paying the debt of the corporation, but only on the condition that the said Marine Hospital Corporation shall reconvey to the State of Pennsylvania, by good and sufficient deeds, to be approved by the Attorney-General, all lands in any granted to said Marine Hospital by its act of incorporation, approved March twenty-second, Anno Domini, one thousand eight hundred and sixty-seven, and the buildings now thereon, with the appurtenances, to be held by the State for the uses and purposes defined in said act incorporating the Marine Hospital at Erie, and on the further condition that said Marine Hospital Corporation shall convey to the United States of America all title it may have to the Peninsula of Presque Isle, obtained from the State of Pennsylvania by act of February fourth, Anno Domini, one thousand eight hundred and sixty-nine, entitled 'A supplement to an act incorporating the Marine Hospital at Erie,' to be held by said United States as near as may be, in its present condition, and only for the purposes of national defence and for the protection of the harbor of Erie, but in all other respects to be subject to the civil and criminal jurisdiction of the State of Pennsylvania; and the consent of the State of Pennsylvania is hereby given to such transfer of title, only for the purposes and under the limitations hereinbefore mentioned." * * * (Act approved May 11, 1871.)

The deed from "The Marine Hospital of Pennsylvania" was accepted under the following Act of Congress:

"*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and empowered to receive and accept from 'The Marine Hospital of Pennsylvania,' a corporation duly incorporated by the Commonwealth of Pennsylvania, the title to a piece or parcel of land, being the peninsula lying to the northward of and inclosing the bay of Presque Isle, and containing two thousand and twenty-four acres, more or less, to be held by the Government of the United States for

the protection of the harbor of Erie: *Provided*, That the deed conveying the same shall not be received or accepted until the title to the same is complete and indefeasible, nor unless the acceptance thereof shall be recommended by a board of officers of the corps of engineers appointed by the President." (Approved May 27, 1872. 17 Stat. L., 162.)

Easement: Act of Congress, approved February 23, 1893, authorized the Commissioner of Water Works of the city of Erie to extend the intake pipe across the Bay of Presque Isle to the peninsula, and thence across the lands of the United States into Lake Erie.

PROSPECT HILL CEMETERY.

(Soldiers' Lot.)

This reservation is known as Lot No. 689, Section A, in Prospect Hill Cemetery. It is situated about one-fourth of a mile north of the borough of York, on the west side of the Harrisburg Turnpike road, in York County.

The title is evidenced by a certificate issued under the seal of the Trustees of the Prospect Hill Cemetery, signed by William A. Wilt, President, and W. Butzel, Secretary, a copy of which is on file in the office of the Judge-Advocate-General at Washington, D. C.

SCHUYLKILL ARSENAL.

This reservation contains an area of 8 acres 2 roods and 16 perches of land, and is situated in the City of Philadelphia. The title is as follows:

Deed from Elizabeth Sober, et al., to Hon. James McHenry, in trust for the United States, dated July 6, 1799, conveying by description the above lands. Recorded in Book No. 77, page 516, etc., of the deed records for the City and County of Philadelphia.

Jurisdiction was ceded to the United States by an act of the State Legislature approved June 13, 1840, which provides as follows:

"SEC. 3. That the jurisdiction of the State of Pennsylvania is hereby ceded to the United States of America, for the purpose of erecting and maintaining thereon, arsenals, magazines and other necessary buildings, over all those certain tracts, pieces, or parcels of land situate * * * in the County of Philadelphia * * *. And the description and boundaries of the last-mentioned of the foregoing tracts, as set forth in the deed executed by Elizabeth Sober et al. to James McHenry on the 6th day of July, 1799, being as follows, to wit: [Here describes tract near Schuylkill River, at Grays Ferry.] The evidences of the several purchases of the land which is hereby ceded being recorded in the office of the Clerk of the County of Philadelphia.

"SEC. 4. The jurisdiction so ceded to the United States of America, is granted upon the express condition, that the said State of Pennsylvania, shall retain a concurrent jurisdiction with the United States, in and over the tracts of land aforesaid, so far as that civil process in all cases and such criminal process as may issue under the authority of the State of Pennsylvania, against any person or persons charged with the crimes committed, without the said tracts of

land, may be executed therein, in the same way and manner, as if this jurisdiction had not been ceded. The United States are to retain such jurisdiction so long as said tracts of land shall be used for the purposes expressed in the foregoing sections and no longer."

RHODE ISLAND.

GENERAL ACT OF CESSION.

"*It is enacted etc.*,

"SECTION 1. Section 1 of chapter 330 of the Public Laws is hereby amended so as to read as follows:

"SECTION 1. The consent of the state of Rhode Island is given to the purchase by the government of the United States, or under the authority of the same, of any tract, piece, or parcel of land from any person within the limits of the state for the purpose of erecting thereon post offices, light houses, beacon lights, range lights, life-saving stations, and light-keeper's dwellings, and other needful public buildings connected therewith, or for the location, construction, or prosecution of forts, fortifications, coast defences, and appurtenances thereto or for the location and maintenance of any cable lines, landing places, terminal stations, and other needful buildings connected therewith for weather bureau purposes; and all deeds, conveyances, or title papers for the same shall be recorded, as in other cases, upon the land records of the town in which the land so conveyed may lie; the consent herein given being in accordance with the seventeenth clause of the eighth section of the first article of the constitution of the United States and with the acts of congress in such cases made and provided."

"SECTION 2. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith are hereby repealed."

(Passed March 19, 1903. Public Laws of R. I., session of 1903, p. 25.)

FORT ADAMS.

This reservation contains an area of 138 acres 2 roods 27 perches, and is situated on Brenton's Point, or Neck, in Newport Harbor, and at the throat of the middle of the three entrances to Narragansett Bay. It is in Newport County, about 3 miles from the city of Newport. The title is as follows:

1. Deed from Susanna Mumford, et al., dated May 2, 1799. Recorded in the Clerk's office at Newport July 17, 1799.

2. Deed from Susanna Mumford, et al., dated October 23, 1799, conveying 3 acres 1 rood and 30 rods. Recorded in the Book of Land Evidence of Newport, No. 7, since the evacuation by the British Troops, pages 278 and 279.

3. Deed from Susanna Mumford, et al., dated October 30, 1800, conveying 10 acres of land. Recorded in Book No. 8, pages 303 and 304 of same records.

4. Deed from Benjamin Waite Case and wife, dated June 19, 1824, conveying the undivided half of 29 acres 2 roods and 1 rod of land. Recorded in Book No. 16, page 291, etc., of same records.

5. Deed from Joshua Peckham et al., dated June 19, 1824, conveying 22 acres 1 rood and 19 rods of land. Recorded in No. 16, pages 285 and 286, of same records.

6. Deed from Thomas Sessions and wife, dated June 21, 1824, conveying the undivided half of 29 acres 2 roods and 1 rod of land. Recorded in No. 16, page 287, etc., of same records.

7. Deed from Audley Clarke and wife, dated June 24, 1824, conveying 63 acres of land. Recorded in No. 16, page 288, etc., of same records. Provision was made for the sale to the United States with the consent of the Governor of the State, and jurisdiction ceded by an act of the State legislature passed at the March Session, 1794, and jurisdiction also ceded by an act passed at the May Session, 1824, which acts provide as follows:

"Whereas the Congress of the United States have passed an act for fortifying the port and harbor of Newport, and empowered the President of the United States to receive from any State (in behalf of the United States) a cession of the land on which any fortification may stand; or, when such cession shall not be made, to purchase such land in behalf of the United States; Provided, that no such purchase shall be made where such land is the property of a State:

"SECTION 1. *Be it therefore enacted, etc.*, That there be, and is hereby, granted unto the United States of America, all the right, title and claim of this State to the lands on which the fortifications on Goat Island, in the Township of Newport, stand, together with the circumjacent lands, which have been heretofore improved by the State for the purposes of defense.

"SEC. 2. *And be it further enacted*, That it shall and may be lawful for the Town of Newport, or any other town in this State, or any individual person in this State, by and with the consent of his Excellency the Governor, to sell and dispose of to the President of the United States, for the use of the United States, all such lands as shall be deemed necessary to erect fortifications upon, for the defense of the Port and Harbor of Newport, and to execute deeds thereof in due form of law; and if the town of Newport, or any other town, or any individual, shall not agree with the person or persons who may be appointed by the President of the United States to purchase such lands, or the value thereof, then and in such case his Excellency, the Governor, is hereby empowered to appoint three suitable persons to appraise the said lands, and upon payment of the value thereof at such appraisement, or upon the tender thereof being refused, the fee and property of such lands shall vest in the United States.

"SEC. 3. *Provided nevertheless, and be it further enacted*, that all civil and criminal processes issued under the authority of this State, or any Officer thereof, may be executed on the lands which may be so ceded, and within the fortifications which may be thereon erected, in the same way and manner as if such lands had not been ceded as aforesaid." (Act passed at the March Session, 1794.)

"Whereas one hundred and sixteen acres and three quarters of an acre and twenty rods of land situate on Brentons neck adjoining land of the United States on which Fort Adams now stands have been deemed necessary to be possessed by the United States, for the purpose of increasing the defense of Narragansett Bay; and whereas an application has been made by the Secretary of War of the United States for and in behalf of the United States for the passage of an act ceding to the United States the jurisdiction thereof:

"SECTION 1. *Be it therefore enacted, etc.*, That it shall and may be lawful for the proprietors of said one hundred and sixteen acres and

three quarters of an acre and twenty rods of land (to wit: Audley Clarke, Joshua Peckham and Augustus Peckham, Thomas Sessions and Elizabeth his wife and Benjamin Waite Case and Sarah his wife) to sell and convey to the United States said one hundred and sixteen acres and three quarters of an acre and twenty rods of land."

"SEC. 2. *And be it further enacted*, That there be, and here is, granted to the United States the jurisdiction of said one hundred and sixteen acres and three quarters of an acre and twenty rods of land, with the shores adjoining the same to low-water mark, which said land is to be bounded according to the limits thereof designated in a plat of the same on file in the Secretary's Office, and which was transmitted to his Excellency the Governor of this State under cover of a letter from said Secretary of War dated May the 19, 1824, and as the same may be described in the deeds to be given thereof by the owners aforesaid: *Provided*, *nevertheless*, that all civil and criminal process issued under the authority of this State may be executed on said land or in any tenements to be erected thereon in the same way and manner as if the jurisdiction thereof had not been ceded as aforesaid." (Act passed at May Session, 1824.)

See also General Act of Cession.

Revocable Licenses: June 19, 1905, and September 28, 1906, to Providence Telephone Company to construct, operate and maintain a telephone line.

FORT GETTY.

This reservation contains 31.6706 acres and a right of way, situated on Fox Hill, on the western shore of Conanicut Island, near the town of Jamestown, in Newport County.

The title is as follows:

Deed from Benjamin S. Cottrell, dated June 22, 1900, conveying the above tract. Recorded in Vol. 13 of Land Evidence of Jamestown, page 472, etc.

The above tract was obtained under condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered February 19, 1900, and filed in the Clerk's Office for said Court, May 14, 1900.

For jurisdiction see General Act of Cession.

Revocable License: License, April 9, 1902, to the Providence Telephone Company to construct and maintain a pole telephone line on the reservation.

FORT GREBLE.

This reservation contains an area of about 80 acres and is situated on Dutch Island, in the western entrance to Narragansett Bay, 3½ miles north of Beaver Tail, 4½ miles due west from the City of Newport, 23 miles south of Providence, and midway between the mainland on the west and Conanicut Island on the east, in Newport County. The title is as follows:

Deed from J. H. Carpenter and wife, dated January 1, 1864, conveying all the island called "Dutch Island" (except a tract of about 6 acres now owned by the United States, heretofore conveyed for

Light-House), containing 75 acres more or less. Recorded in Jamestown, Sixth Book of Land Evidence, pages 256 and 257, August 6, 1866. Jurisdiction was ceded to the United States by an act of the State Legislature passed January 18, 1865, which provided as follows:

"SECTION 1. Jurisdiction over all of the lands at the entrance of Narragansett Bay, known as Dutch Island, purchased by the United States is hereby ceded to the United States: *Provided, nevertheless*, That all civil and criminal process, issued under the authority of this State, shall continue to run into and be served and executed in and upon said tract of land, and all parts thereof, in the same manner as if the jurisdiction had not been granted as aforesaid."

FORT GREENE.

This reservation contains an area of 20,000 square feet, and is situated in the City of Newport, in the County of Newport, on what is called "Easton's Point," and embraces Lots 9, 10, 11 and 12 of the second division on said Easton's Point. The title is as follows:

1. Deed from William V. King, dated August 29, 1799, conveying Lots 11 and 12 above noted, subject to an annual payment of 3 ounces and 12 pennyweights of coined silver. Recorded in the Book of Land Evidence of Newport, November 9, 1799, at Newport.

2. Deed from Samuel King and wife, dated August 29, 1799, conveying Lots 9 and 10 above noted, subject to an annual payment of 3 ounces and 12 pennyweights of coined silver. Recorded November 9, 1799, same records.

3. Deed from Richard Mitchell, et al., dated September 6, 1823, releasing all right to reserved rent, etc., to above lots.

For jurisdiction see act of the State Legislature, passed at the March Session, 1794, under title of "Fort Adams."

Pursuant to Act of Congress approved February 23, 1887, the Fort Greene tract was granted by the Secretary of War to the City of Newport, July 13, 1891, for the purposes of a public park, the fee, however, remaining vested in the United States.

FORT MANSFIELD.

This reservation contains a little over 60 acres, and is situated on Napatree Point, near Watch Hill, in Washington County. The title is as follows:

1. Deed from Henry B. Gorham, dated June 27, 1898, conveying two tracts of land therein described. Recorded in Land Evidences, Records of Westerly, Book No. 33, page 292.

2. Deed from James N. Thompson, et al., dated April 26, 1898, conveying a tract of land therein described. Recorded in Book No. 23, page 286, of same records.

3. Deed from John B. Sweeney, dated October 26, 1903, conveying a right of way. Recorded in Book 35, page 300, of same records.

4. Deed from H. Hobart Babcock, dated October 26, 1903, conveying a right of way. Recorded in Book 35, page 296, of same records.

5. Deed from Alice Brien and husband, dated October 26, 1903, conveying a right of way. Recorded in Book 35, page 297, of same records.

6. Deed from Frank Larkin, dated October 27, 1903, conveying a right of way. Recorded in Book 35, page 298, of same records.

For jurisdiction see General Act of Cession.

FORT PHIL KEARNEY.

This reservation contains 25 acres and is situated near South Ferry in the District of Narragansett, in the County of Washington.

The title is as follows:

Deed from Edmund W. Davis, dated May 23, 1901, conveying the above tract. Recorded in the Book of Land Evidence of the town of Narragansett, No. 4, page 60.

The above land was acquired under condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered March 2, 1901.

For jurisdiction see General Act of Cession.

ROSE ISLAND.

This reservation contains an area of 20 acres, and is situated halfway between the City of Newport and Conanicut Island, in Narragansett Bay, in Newport County. The title is as follows:

1. Deed from Hannah Goddard et al., dated August 20, 1799, conveying six undivided eighth parts of Rose Island, containing in the whole about 20 acres. Recorded in the Book of Land Evidence of Newport, August 22, 1799, at Newport.

2. Deed from Israel Ambrose, Guardian, etc., dated August 20, 1799, conveying one undivided eighth part of Rose Island. Recorded August 22, 1799, same records.

3. Deed from Henry Goddard and wife, dated September 23, 1799, conveying one undivided eighth part of Rose Island. Recorded November 11, 1799, same records.

For jurisdiction, etc., see act of Legislature passed at the March Session, 1794, under the title of "Fort Adams."

See also General Act of Cession.

By letter of the Secretary of War, dated February 17, 1904, a definite area about the beacon light on this reservation was set apart for the use of the Light-House Establishment.

FORT WETHERILL.

This reservation contains an area of 40.797 acres of land and is situated at The Dumplings, on the eastern shore of Conanicut Island, near Jamestown in the County of Newport. The title is as follows:

1. Deed from Ebenezer Shearman, dated November 26, 1799. Recorded in Jamestown Book for Land Evidence, No. 4, pages 88, 89, and 90, at Jamestown, May 3, 1800. For act of Legislature providing for consent to sale and ceding jurisdiction see act passed March Session, 1794, set out under "Fort Adams."

2. Deed from Mary Dame, et al., dated May 11, 1899, conveying a tract of land and rights of way therein described. Recorded in Vol. 13, page 350, of same records.

3. Deed from Benjamin H. Shoemaker, dated May 5, 1899, conveying a tract of land and rights of way therein described. Recorded in Vol. 13, page 352, of same records.

4. Deed from William T. Richards, dated May 29, 1899, conveying a tract of land and rights of way therein described. Recorded in Vol. 13, page 347, etc., of same records.

The above-mentioned tracts (2, 3 and 4,) containing in the aggregate 23.068 acres, were obtained under Condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered September 1, 1898, and filed in the Clerk's Office for said Court, June 20, 1899.

5. Deed from the Ocean Highlands Company, dated May 4, 1899, conveying a tract of land and rights of way therein described. Recorded in Vol. 13, page 348, of same records.

6. Deed from Bettie A. Lieber and husband, dated April 29, 1899, conveying a tract of land and rights of way therein described. Recorded in Vol. 13, page 349, etc., of same records.

The above two tracts containing in the aggregate 9.354 acres, were obtained under condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered September 3, 1898, and filed in the Clerk's Office for said Court, June 20, 1899.

7. Deed from Mabel Russel and husband, dated January 17, 1902, conveying an undivided third of a tract of land containing 0.875 acre. Recorded in Vol. 13, page 210, etc., of same records.

8. Deed from Charles F. Bostwick and wife, dated February 1, 1902, conveying the undivided two-thirds remaining of above tract. Recorded in Vol. 14, page 211, etc., of same records.

The above 0.875 acre was acquired under Condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered January 4, 1902, and filed in the Clerk's Office for the said Court, February 5, 1902.

9. Deed from Henry Stalzell, dated March 3, 1902, conveying 1.5 acres of land. Recorded in Vol 14, page 230, etc., of same records.

The above tract was acquired under Condemnation proceedings in the Circuit Court of the United States for the District of Rhode Island, by decree rendered February 15, 1902.

For jurisdiction see General Act of Cession.

Revocable Licenses: License, April 9, 1902, to The Providence Telephone Company to construct and maintain a pole telephone line on the reservation.

Revocable License, June 19, 1905, to Providence Telephone Company to construct, operate and maintain a telephone line.

FORT WALCOTT (GOAT ISLAND).

This reservation, containing 18 acres, embraces the whole of Goat Island, and is situated at the entrance to Newport Harbor from Narragansett Bay northeast from Fort Adams and southeast from Rose Island, in Newport County. The title is as follows:

1. Act of the General Assembly of the State of Rhode Island, passed March, 1794, granting to the United States all the right, title, and claim of said State to the lands on which the fortifications on Goat Island stand, etc. (See Fort Adams for act.)

2. Deed from Edmund Townsend, Treasurer of Newport, etc., dated April 16, 1799, conveying 10 acres on north end of Island. Recorded in the Book of Land Evidence of Newport, July 17, 1799, at Newport.

For jurisdiction see act passed at March Session, 1794, under the title of "Fort Adams."

See also General Act of Cession.

Easement: Act of Congress, approved December 20, 1884, authorized the city of Newport to construct and maintain a sewer through and across the breakwater at Goat Island. License under above authority, April 26, 1887.

Revocable License: License, July 27, 1869, to the Navy Department to occupy Goat Island.

SOUTH CAROLINA.

For a list of places ceded to the United States subject to concurrent jurisdiction see Code of Laws, S. C., 1902, v. 1, sec. 3, pages 4 to 18.

GENERAL ACT OF CESSION.

Session Laws of 1871, Chapter 14, page 535, Section 1, as set out in the Code of Laws of South Carolina for 1902, Vol. 1, page 21, as follows:

"SEC. 9. The jurisdiction of the State of South Carolina is hereby ceded to the United States over so much land as is necessary for the public purposes of the United States; but the jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the lands, by grant or deed, from the owner or owners thereof, and the evidences thereof shall have been recorded in the office where, by law, the title to such land is recorded. The United States are to retain such jurisdiction so long as such lands shall be used for the purposes aforementioned, and no longer; and such jurisdiction is granted upon the express condition that the State of South Carolina shall retain a concurrent jurisdiction with the United States in and over the said lands, so far as that civil process, in all cases not affecting the real or personal property of the United States, and such criminal or other process as shall issue under the authority of the State of South Carolina, against any person or persons charged with crimes or misdemeanors committed within or without the limits of the said lands, may be executed therein, in the same way and manner as if no jurisdiction had been thereby ceded.

"SEC. 10. All lands and tenements which may be granted, as aforesaid, to the United States shall be and continue, so long as the same shall be used for the purposes in the last section mentioned, exonerated and discharged from all taxes, assessments and other charges which may be imposed under the authority of the State of South Carolina."

BAY POINT.

This reservation contains an area of 126 acres, being all the land in the west half of Section 3, Township 3 South, and is situated north of the entrance to Port Royal Sound, in Beaufort County. The title is as follows:

As public lands belonging to the United States they were reserved for military purposes by Executive Order dated October 27, 1874.

No cession of jurisdiction, unless covered by the act of the State Legislature passed at the session of 1871, for which see Act set out under title of "Beaufort National Cemetery."

(The Bay Point reservation seems to have been bid in by an agent of the United States, for the United States, at a sale for direct taxes immediately at the close of the war of 1861, and while in the hands of the Tax Commissioners as the property of the United States was excepted from further disposition and set apart for military purposes. See Act of Congress approved July 16, 1866.)

For jurisdiction see General Act of Cession.

BEAUFORT NATIONAL CEMETERY.

This reservation contains an area of 31.5 acres, and is situated at Beaufort, in Beaufort County. The title is as follows:

1. Under authority of act of Feb. 6, 1863 (12 Stat. L., 640) and Executive Order of February 10, 1863, the tract known as "Polly's Grove," containing 64 acres, was on March 4, 1863, selected for various public purposes and acquired at direct tax sale, held March 11, 1863. A portion of this tract, containing 29.8 acres, was used as a "Military Cemetery;" and the title thereto approved by the Attorney-General March 25, 1869.

2. Lease for ninety-nine years by Town Council of Beaufort to the United States of Lot 124 in Beaufort Cemetery, containing 1.7 acres. Lease dated April 10, 1868, and recorded in Book No. 7, page 196, of the deed records of Beaufort County.

For jurisdiction see General Act of Cession.

See Appendix, page 454.

CHARLESTON ARSENAL.

This reservation contains an area of 11.26 acres, and is situated on Charleston Neck, at Cannonsborough, now City of Charleston, in Charleston County; bounded by Bee, Thomas, Doughty and President Streets of said City. The title is as follows:

Deed from the Common Council of the City of Charleston, dated May 17, 1841.

Consent to the sale and jurisdiction ceded to the United States by an act of the State Legislature passed December 18 and 19, 1838, as follows:

"1. That the consent of the State be, and is hereby, given to the purchase by the United States of a certain square of land in Charleston, now vested in the Corporation of that City, bounded by Thomas, Bee, President, and Doughty Streets and commonly known as the Potters' Field Burying Ground, Cannonsborough, if so much should be needed, in carrying out the plans now in progress, for extending

and improving the United States Arsenal already established upon a part of that square.

" 2. That when the purchase of said square is consummated for the purpose above specified, the authorities of the United States will occupy and exercise jurisdiction over it under the same rights and reservations as have before been stipulated with respect to other lands held by the Federal Government within the limits of this State for the erection of Forts, Magazines and Arsenals."

It would seem that consent to the purchase by the United States and a qualified cession of jurisdiction was granted under an act of the State Legislature passed December 12, 1795, which act is as follows:

" Whereas the late Secretary of State of the United States, in his letter to the late Governor of this State did request that he would take proper measures for obtaining the consent of the Legislature of this State, that the United States should purchase a quantity of land in this State whereon Arsenals and Magazines might be erected.

"*Be it therefore enacted, etc.*, That the United States or such person or persons as may be by them authorized shall have a right to purchase in any part of this State that may be thought most eligible the Fee Simple of any quantity of land not exceeding 2,000 acres for the purpose of erecting arsenals and magazines thereon agreeably to the Act of Congress entitled 'An Act to provide for the erecting and repairing of Arsenals and Magazines and for other purposes,' passed on the 2d day of April in the year of our Lord one thousand seven hundred and ninety-five.

"*And be it further enacted, etc.*, That if the person or persons whose land may be chosen for the above-mentioned purpose, should not be disposed to sell the same or if the persons appointed to make the purchase should not be able to agree upon terms with such owner or owners of the said land, the same shall be valued upon oath by a majority of persons to be appointed by the Court of Equity or Court of Common Pleas of this State for that purpose and the land shall be vested in the United States upon their paying the amount of such valuation to the owner or owners of such land.

"*And be it further enacted, etc.*, That the said land when purchased, and every person or officer residing or employed thereon, whether in the service of the United States or not, shall be subject and liable to the Government of this State and the Jurisdiction Laws, and the authority thereof, in the same manner as if this Act had never been passed, and that the United States shall exercise no more authority or power within the limits of the said land than they might have done previous to the passing of this Act or than may be necessary for the building, repairing or internal government of the Arsenals and Magazines thereon to be erected, and the regulations and management of the same, and of the officers and persons by them to be employed in or about the same. *Provided always*, That the said land shall forever be exempt from any taxes to be paid to this State." (See Code of Laws, S. C., 1902, Vol. 1, p. 18, Sec. 4.)

FLORENCE NATIONAL CEMETERY.

This reservation, containing an area of 3.76 acres, together with a right of way, is situated near Florence, in Darlington County. The title is as follows:

1. Deed from James B. Jarrott, Executor, etc., dated January —, 1872, conveying 3.76 acres. Recorded in book H H, page 231, etc., in the Office of Register of Mesne Conveyances for Darlington County.

(An Act of Congress, approved January 8, 1889, provides for the building of a gravel or macadamized road from the town of Florence to the National Cemetery.)

2. Ordinance by the Intendant and Wardens of the Town of Florence granting to the United States right of way, etc., on streets leading toward Cemetery within the corporate limits of said town. Passed and ratified February 5, 1889.

3. Order and Resolution of County Court of Florence County, granting to the United States right of way to National Cemetery, over County road, etc. The said road now being embraced within the limits of Florence County, by act of the State Legislature approved December 22, 1888. Order and Resolution adopted February 26, 1889.

4. Report of Special Road Commissioners giving increased width to roadway, confirmed by the County Court March 18, 1889.

Jurisdiction was ceded to the United States by an act of the State Legislature approved January 16, 1873, which act provides as follows:

"SECTION 1. *Be it enacted, etc.*, That the jurisdiction of the State of South Carolina is hereby ceded to the United States of America over certain lands situated in the County of Darlington and near the town of Florence, known as the "National Cemetery;" *Provided*, That the jurisdiction hereby ceded shall not vest until the United States of America shall have acquired the title to the said lands by grant or deed from the owner or owners thereof, and the evidences of the same shall have been recorded in the office where by law the title to such lands is recorded; and the United States of America are to retain such jurisdiction so long as such lands shall be used for the purposes, in this Act mentioned, and no longer; and such jurisdiction is granted upon the express condition that the State of South Carolina shall retain a concurrent jurisdiction with the United States in and over the said lands so far as that civil process, in all cases not affecting the real or personal property of the United States, and such criminal or other process as shall issue under the authority of the State of South Carolina, against any person or persons charged with crimes or misdemeanors committed within or without the limits of said lands, may be executed therein in the same way and manner as if no jurisdiction had been ceded.

"SEC. 2. That all lands and tenements which may be granted as aforesaid, to the United States, shall be and continue, so long as the same shall be used for the purposes in this act mentioned, exonerated and discharged from all taxes, assessments and other charges which may be imposed under the authority of the State of South Carolina."

(See also Act of the State Legislature of 1871, under title of "Beaufort National Cemetery.")

FORT FREMONT.

The reservation contains about 170 acres, as announced in G. O. No. 90 W. D. May 14, 1906. It is situated on St. Helena Island, in Beaufort County, near Port Royal. The title is as follows:

1. Deed from F. A. Dran, dated April 28, 1898, conveying Lot No. 11, and fractional Lots Nos. 10 and 23, in Sec. 22, T. 2 S., R. 1 W. of St. Helena Meridian. Recorded in Book B, page 62, of the records of Beaufort County.

2. Order of the District Court of the United States for the Eastern District of South Carolina, dated June 30, 1899, vesting the title in fee simple in the United States, of a tract of land containing 10 acres, late the property of Jack Freeman.

3. Deed from Jacob Meyers, dated October 12, 1899, conveying 10 acres of land. Deed recorded in Book B, page 63, of same records.

4. Decree of condemnation for 20 acres of land, in case of The United States *v.* Ellen Crofut, in the District Court of the United States for Eastern District of South Carolina. Rendered October 12, 1900, and filed in the Clerk's Office of said Court.

5. Deed from Ellen A. Crofut, dated August 13, 1903, conveying Lot 60, sec. 15 S., R. 1 W., St. Helena Meridian, containing 10 acres. Recorded in Clerk's Office of County Court, in Vol. 25, page 363.

6. Deed from July Fripp, dated September 19, 1903, conveying one-half of Lot 5, sec. 22, T. 2 S., R. 1 W., containing 5 acres. Deed recorded in Vol. 25, page 364, of same records.

7. Deed from Andrew Jenkins and Ellen Williams, dated September 25, 1903, conveying one-half of Lot 5, sec. 22, T. 2 S., R. 1 W., containing 5 acres. Recorded in Vol. 25, page 366, of same records.

8. Deed from the Clerk of the District Court, dated November 23, 1903, conveying Lot 21, sec. 22, T. 2 S., R. 1 W., containing 10 acres. Recorded in Vol. 25, page 394, of same records.

9. Deed from the Clerk of the District Court, dated November 23, 1903, conveying Lot 22, sec. 22, T. 2 S., R. 1 W., containing 10 acres. Recorded in Vol. 25, page 400, of same records.

10. Deed from the Clerk of the District Court, dated November 23, 1903, conveying Lot 28, sec. 22, T. 2 S., R. 1 W., containing 10 acres. Recorded in Vol. 25, page 398, of same records.

11. Deed from the Clerk of the District Court, dated November 23, 1903, conveying Lot 12, sec. 22, T. 2 S., R. 1 W., containing 10 acres. Recorded in Vol. 25, page 396, of same records.

The above conveyances, 8 to 11 inclusive, were executed pursuant to a decree of condemnation in the District Court of the United States, for the Eastern District of South Carolina, rendered November 20, 1903.

12. Deed from Clerk of Circuit Court, dated August 20, 1904, conveying lots 26 and 27, sec. 22, T. 2 S., R. 1 W., of St. Helena Meridian, containing 10 acres. Recorded in Book 25, page 502, of the records of Beaufort County.

13. Deed from Clerk of Circuit Court, dated August 20, 1904, conveying Lots 38 and 39, sec. 22, T. 2 S., R. 1 W., of St. Helena Meridian, containing 10 acres. Recorded in Book 25, page 500, of same records.

The above deeds 12 and 13 were executed in pursuance of decrees of condemnation in the Circuit Court of the United States, for the Dis-

trict of South Carolina, rendered April 9, 1904, and filed the same day in Clerk's Office of said Court.

14. Deed from Ellen A. Crofut, dated January 31, 1905, conveying Lot 57, section 15, township 2 south, range 1 west. Recorded in Book 26, page 114, of same records.

Upon investigation it was found that title to Lot 37, containing 10 acres, was already in the United States, it having been purchased in 1863 at a sale for taxes.

For jurisdiction see General Act of Cession.

HILTON HEAD.

This reservation contains an area of 803 acres, and is situated south of the entrance to Port Royal Sound, in Beaufort County. The title is as follows:

As public lands belonging to the United States, they were reserved for military purposes by Executive Order dated October 27, 1874.

No cession of jurisdiction unless covered by the act of the State Legislature passed at the session of 1871, for which see Act set out under title of " General Act of Cession."

(The Hilton Head reservation seems to have been bid in by an agent of the United States, for the United States, at a sale for direct taxes, immediately at the close of the war of 1861, and while in the hands of the Direct Tax Commissioners as the property of the United States, was excepted from further disposition and set apart for military purposes. See Act of Congress approved July 16, 1866.)

FORT MOULTRIE.

This reservation contains an area of approximately 296 acres, and is situated on Sullivans Island north of the main entrance to Charleston Harbor, and nearly opposite Fort Sumter.

The title to the original Fort Moultrie tract is set out in numbers 1, 2 and 3, as follows:

1. Ceded to the United States by the State of South Carolina by an act of the Legislature passed December 19, 1805.

2. Land surveyed and regranted to the United States by an act of the State Legislature passed December 18, 1846.

3. Deed from G. B. Dyer, dated January 9, 1844, conveying a small burial lot containing about 1,500 feet of ground. Recorded in Secretary of State's Office, at Charleston, in Miscellaneous Record Book B B B B B, page 18, etc.

The Acts of December 19, 1805, and December 18, 1846, cede both title and jurisdiction, and provide as follows:

"*Be it enacted, etc.*, That there shall be and hereby is granted to the United States of America, all the right, title and claim of this State, to the following forts, fortifications, and sites for the erection of forts, in manner following:

"All the land reserved for Fort Moultrie on Sullivans Island, provided the same shall not exceed five acres, with all the forts, fortifications and buildings thereon, together with the canal leading from the cove on the back of the fort, nearly up to the same, as delineated on the plan of Charleston harbor by Colonel Senf and is in the Secretary of State's office at Columbia.

"The high lands and part of the marsh belonging to Fort Johnson,[a] as delineated on the said plan of Charleston harbor, provided the same shall not exceed twenty acres, including the present site of Fort Johnson.

"The land on which Fort Pinckney is built, and three acres around the same.

"A portion of the sand bank marked C, on the southeasternmost point of Charleston, as delineated on the said plan of Charleston harbor, not exceeding two acres.

"A quantity of land, not exceeding four acres, for a battery or fort, and necessary buildings, on Dr. Blythe's point of land at the mouth of Sampit river.

"The small island in Beaufort river called Mustard Island, opposite Pairo Island, and a tract of land on St. Helena Island, opposite the same, not exceeding seven acres of land, as being a commanding ground for a principal fort.

"*And be it further enacted, etc.*, That the following persons, viz: Col. Thomas Grayson, Captain John Jenkins, and William Elliott, Brigadier-General Reid, the Intendent of Charleston for the time being, Colonel Daniel Stevens, Joseph Alston, Brigadier-General Conway and Major Savage Smith, or any two of them, be, and they are hereby appointed Commissioners, and authorized to locate, by proper metes and bounds, at the expense of this State, so far as the charges of surveyors shall be incurred, all or any the above mentioned sites; and who shall return into the office of the Secretary of this State, on or before the first day of January, in the year of our Lord one thousand eight hundred and seven, fair plats of survey, and accurate description of the said lands, forts, fortifications and sites, so ceded, setting forth the limits and bounds of the same.

"*And be it further enacted, etc.*, That if the United States shall not within three years from the passage of this act, and notification thereof by the Governor of this State to the Executive of the United States, repair the fortifications now existing thereon, or build such other forts or fortifications as may be deemed most expedient by the Executive of the United States on the same, and keep a garrison or garrisons therein, in such case this grant or cession shall be void and of no effect.

"*And be it further enacted*, That all process civil or criminal, issued under the authority of this State or any officer thereof, shall and may be served and executed on any part of lands and sites, forts and fortifications, so ceded by this act, and on any person or persons there being and implicated in matters of law: *Provided always*, that the lands, sites, forts and fortifications so ceded, shall forever be exempt from any tax to be paid to this State: *And provided also*, the United States shall, before possession be taken of the said sites so to be laid out by the above Commissioners, some of which are private property, give and pay due compensation to the owners and proprietors of the same." (Passed December 19, 1805.)

Commissioners made report dated August 14, 1807.

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[a] Fort Johnson was transferred to the Treasury Department, July 23, 1906, under Act of Congress approved June 19, 1906 (34 Stat. L., 299), for the permanent use of the Public Health and Marine-Hospital Service.

"1. *Be it enacted, etc.*, That there shall be, and hereby is granted to the United States of America, all the right, title and interest of the State to the lands, forts and fortifications and sites for the erection of forts on Sullivans Island, James Island, and Shute's Folly Island, as delineated in a plan of survey made by Robert Q. Pinckney, on the Seventeenth day of November, in the year One thousand eight hundred and forty-six, under the direction of the Commissioners appointed by His Excellency, Governor Aiken, under a joint resolution of the Legislature, passed on the fifteenth day of December, in the year, One thousand eight hundred and forty-five. *Provided*, That this Act shall not take effect until the United States Government shall have conveyed to the State of South Carolina all the right, title and interest of the United States, in the land lying between the present site of Fort Moultrie and the parade ground, which is indicated as a street in the aforesaid plan of survey, and until said plan of survey shall have been deposited in the office of the Secretary of State at Columbia.

"2. That all process, civil or criminal, issued under the authority of this State, or any officer thereof, shall and may be served and executed, on any part of the lands and sites, forts and fortifications so ceded by this act, and on any person or persons there being implicated in matters of law: *Provided always*, That the lands, sites, forts and fortifications so ceded shall be exempt from any tax to be paid to this State: *And provided also*, That nothing contained in this act, shall be construed to interfere with the rights and property of the citizens, or so as to affect any of the streets, thoroughfares or public buildings on the said Islands." (Passed December 18, 1846.)

The condition recited in the foregoing act of December 18, 1846, having been complied with on the part of the United States, David Johnson, Governor of South Carolina, executed a deed conveying to the United States the lands, etc., cited in said act. Deed dated June 5, 1848, and recorded in the Mesne Conveyance Office, Charleston District, July 5, 1848, in Book B, No. 12, page 102, etc.

The title to the additions to the original reservation was in the State of South Carolina, which, by custom sanctioned by legislative enactment, permitted the occupancy and improvement of the same by private individuals as tenants from year to year. These additions were granted to the United States by Acts of the State Legislature, approved December 24, 1894, February 9, 1900, February 8, 1901, March 2, 1903, February 22, 1905, and February 19, 1906, upon condition that the "grant shall not be effectual as to any portion of the premises * * * in which any person or persons have now any right, title or interest or upon which any person or persons now own or have any structures or improvements until the United States of America shall have compensated such person or persons for such right, title and interest and for such buildings, structures and improvements, and acquired the title of such person or persons thereto."

The metes and bounds of the several reservations comprised under the post of Fort Moultrie, except the tract 40 by 75 feet, acquired for "secondary mine-defense observing station," are published in G. O. No. 140, War Department, August 7, 1906.

The following deeds, etc., release the title of the owners of improvements, etc., on Lots comprised within three tracts of land,

designated below as Tracts "A," " B," and " C," which were granted to the United States by Act of the State Legislature, approved December 24, 1894:

Tract A:

Lot 101. Deed from Margaret T. Stone, Executrix, and H. D. Alexander, Executor, etc., dated February 14, 1896. Recorded in Book R, 22, page 176, in the Register's Office of Mesne Conveyances, Charleston County, South Carolina.

Lot 102. Deed from Hermann Klathe, dated October 28, 1895. Recorded in Book R 22, page 122, same office.

Lot 103. Deed from Harriott R. Simons, dated October 28, 1905. Recorded in Book R 22, page 126, same office.

Lot. 104. Deed from Caroline C. Williams, dated December 12, 1895. Recorded in Book Y 22, page 5, same office.

Lot 105. Decree of Condemnation in case of the United States *v.* Pauline S. Heyward, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 26, 1897.

Lot 106. Deed from Anna L. Walker, dated December 5, 1896. Recorded in Book R 22, page 387, same office.

Lot 107 and Lot 108. Deed from Mary L. Snowden, dated March 20, 1897. Recorded in Book R 22, page 475, same office.

Lots 119, 120, 121, 126, and 127. Deed from Asher D. Cohen, dated July 25, 1896. Recorded in Book R 22, page 292, same office.

Lot 122. Deed from Henrietta V. Mazyck, dated November 24, 1896. Recorded in Book R 22, page 374, same office.

Lot 123. Deed from Wilhelmina L. Eason, dated July 27, 1896. Recorded in Book R 22, page 289, same office.

Lot 124. Deed from E. C. Steinmeyer, Administrator, etc., dated June 12, 1897. Recorded in Book R 22, page 548, same office.

Lot 125. Deed from Edwin W. Moise, dated February 14, 1896. Recorded in Book Y 22, page 17, same office.

Lot 128. Deed from Sarah M. Dawson, dated July 28, 1896. Recorded in Book R 22, page 291, same office.

Lot 128–a. Deed from J. Alice Arnold, dated December 5, 1896. Recorded in Book R 22, page 388, same office.

Lot 137. Deed from J. O. Beckman, dated December 27, 1895. Recorded in Book Y 22, page 8, same office.

Lot 138. Deed from Euterpe W. Jones, dated December 14, 1895. Recorded in Book Y 22, page 1, same office.

Lot 139. Deed from Mary Cogswell, dated September 22, 1896. Recorded in Book R 22, page 328, same office.

Tract B:

Lot 225. Deed from John Vollers, dated April 18, 1896. Recorded in Book Y 22, page 70, same office.

Lot 226. Decree of Condemnation in case of the United States *v.* John V. McNamee, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 25, 1897.

Lot 239. Deed from the Carolina Savings Bank, dated November 14, 1895. Recorded in Book Y 22, page 4, same office.

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Lot 240. Decree of Condemnation in case of the United States *v.* A. W. Eckel, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 25, 1897.

Lot 241. Decree of Condemnation in case of the United States *v.* C. M. Drake, in the court of Common Pleas in and for the County of Charleston. Decree made final March 25, 1897.

Lot 242. Decree of Condemnation in case of the United States *v.* Mary L. A. Holton, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 26, 1897.

Lot 255. Deed from Joseph G. Police, dated July 27, 1896. Recorded in Book R 22, page 295, same office.

Lot 256. Decree of Condemnation in case of the United States *v.* Johanna Michaelis, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 26, 1897.

Lot 259. Deed from Anna Josepha Wilson, dated December 13, 1895. Recorded in Book Y 22, page 3, same office.

Lot 260. Deed from Hannah Triest, dated November 7, 1895. Recorded in Book R 22, page 123, same office.

Lot U. and Lot V. Decree of Condemnation in case of the United States *v.* M. A. Gilchrist, in the Court of Common Pleas in and for the County of Charleston. Decree made final March 19, 1897.

Lot W. Deed from Margaret A. S. Gadsden, dated August 6, 1896. Recorded in Book R 22, page 340, same office.

Lot X. Deed from W. St. J. Jervey, dated November 2, 1895. Recorded in Book R 22, page 125, same office.

Lot Y and Lot Z. Deed from Caroline M. Schachte, dated July 25, 1896. Recorded in Book R 22, page 294, same office.

Tract C:

Lot 243. Deed from M. P. Patterson, dated November 5, 1895. Recorded in Book R 22, page 127, same office.

Lot 244. Deed from John J. O'Hagan, dated November 7, 1895. Recorded in Book R 22, page 129, same office.

Lots 245, 246, 263, 264 and 265, were found to be free from private claims, and title depends solely on grant from State.

Lot 247. Deed from Thomas Roddy, dated November 5, 1895. Recorded in Book R 22, page 128, same office.

Lot 248. Deed from Auguste C. Bequest, dated March 26, 1896. Recorded in Book Y 22, page 54, same office.

Lot 249. Deed from John Boyd, Administrator, etc., dated March 20, 1896. Recorded in Book R 22, page 204, same office.

Lot 250. Deed from John C. Boesch, dated December 12, 1895. Recorded in Book Y 22, page 2, same office.

Lot 267. Deed from Johanna F. C. H. Schroder, dated March 27, 1896. Recorded in Book Y 22, page 55, same office.

Lots 268 and 269. Deed from J. E. Follen, dated November 12, 1895. Recorded in Book Y 22, page 6, same office.

Lot B. Deed from Sarah E. Thompson, dated March 18, 1896. Recorded in Book R 22, page 202, same office.

The following deeds release the title of the grantors to improvements, etc., on Lots comprised within premises ceded to the United States by Act of the State Legislature, approved February 9, 1900:

Lot 131. Deed from Kate Blanchard, dated February 18, 1901. Recorded in Book X 23, page 46, in the Register's Office of Mesne Conveyances, Charleston County, South Carolina.

Lot 132. Deed from H. L. P. Bolger, dated February 18, 1901. Recorded in Book X 23, page 64, same office.

Lot 140. Deed from C. H. Schultz, dated February 18, 1901. Recorded in Book X 23, page 125, same office.

Lot 141 and Lot 144. Deed from W. G. Muckenfuss, dated February 18, 1901. Recorded in Book X 23, page 83, same office.

Lot 142. Deed from Mary O. Aimar, dated February 16, 1901. Recorded in Book X 23, page 37, same office.

Lot 143. Deed from C. H. Muckenfuss, dated February 18, 1901. Recorded in Book X 23, page 82, same office.

Lot 145. Deed from William B. Minott, dated February 18, 1901. Recorded in Book X 23, page 77, same office.

Lot 146. Deed from Anna D. Baer, Administratrix, etc., dated February 16, 1901. Recorded in Book X 23, page 41, same office.

Lot 147. Deed from W. M. Muckenfuss, dated February 16, 1901. Recorded in Book X 23, page 87, same office.

Lot 148. Deed from W. G. Muckenfuss, dated February 18, 1901. Recorded in Book X 23, page 85, same office.

Lot 149 and Lot A-4. Deed from Henrietta V. Mazyck, dated February 18, 1901. Recorded in Book X 23, page 75, same office.

Lot 150. Deed from Rosa E. Truesdale, dated February 18, 1901. Recorded in Book X 23, page 132, same office.

Lot 151. Deed from Josephine McGuire, dated February 16, 1901. Recorded in Book X 23, page 90, same office.

Lot 152. Deed from Priscilla S. Salters, dated February 16, 1901. Recorded in Book X 23, page 118, same office.

Lot 153. Deed from A. B. Muckenfuss, dated February 18, 1901. Recorded in Book X 23, page 80, same office.

Lot 154. Deed from Harriet S. Pringle, dated February 18, 1901. Recorded in Book X 23, page 111, same office.

Lot 155. Deed from Mattie R. Riggs, dated February 18, 1901. Recorded in Book X 23, page 113, same office.

Lot 156. Deed from Geo. W. Williams, dated February 16, 1901. Recorded in Book X 23, page 141, same office.

Lot 157. Deed from Henry Buist, *et al.*, Trustees, dated December 18, 1900. Recorded in Book X 23, page 52, same office.

Lot 158. Deed from A. D. Anderson, dated February 16, 1901. Recorded in Book X 23, page 38, same office.

Lot 159 and Lot 160. Deed from Mary Chambers, *et al.*, dated February 18, 1901. Recorded in Book X 23, page 54, same office.

Lot 161. Deed from Louis Sherfesee, *et al.*, dated February 18, 1901. Recorded in Book X 23, page 128, same office.

Lot 162 and Lot 166. Deed from Michael H. Collins, dated February 18, 1901. Recorded in Book X 23, page 61, same office.

Lot 163 and Lot A 14. Deed from John P. De Veaux, dated February 16, 1901. Recorded in Book X 23, page 70, same office.

Lot 164. Deed from Mary J. O'Neill, dated February 18, 1901. Recorded in Book X 23, page 108, same office.

Lot 165. Deed from Mary A. Corry, dated February 16, 1901. Recorded in Book X 23, page 63, same office.

Lot 167 and Lot A 2. Deed from Henry J. O'Neill, dated February 18, 1901. Recorded in Book X 23, page 102, same office.

Lot 168 and Lot 173. Deed from Benjamin McInnes, dated February 16, 1901. Recorded in Book X 23, page 93, same office.

Lot 169. Deed from Evalena Sharkey, dated January 30, 1901. Recorded in Book X 23, page 127, same office.

Lot 170. Deed from Richard J. Morris, dated February 16, 1901. Recorded in Book X 23, page 79, same office.

Lot 171. Deed from John McInerny, dated February 16, 1901. Recorded in Book X 23, page 91, same office.

Lot 172. Deed from Ellen Beasley, dated February 16, 1901. Recorded in Book X 23, page 45, same office.

Lot 172½. Deed from Charles Nelson, dated February 16, 1901. Recorded in Book X 23, page 99, same office.

Lot 174. Deed from Frederick Stent, dated February 25, 1901. Recorded in Book X 23, page 131, same office.

Lot 175. Deed from Roger McKevlin, dated February 18, 1901. Recorded in Book X 23, page 96, same office.

Lot 176 and Lot 177. Deed from Thomas Wilson, dated February 18, 1901. Recorded in Book X 23, page 143, same office.

Lot 178. Deed from Cecelia A. McNamee, dated February 18, 1901. Recorded in Book X 23, page 97, same office.

Lot 179. Deed from Caroline C. Williams, dated February 16, 1901. Recorded in Book X 23, page 140, same office.

Lot 180. Deed from Julius E. Cogswell, dated February 16, 1901. Recorded in Book X 23, page 58, same office.

Lot 181. Deed from J. W. Petermann, dated February 16, 1901. Recorded in Book X 23, page 109, same office.

Lot 182. Deed from Louis Cohen, dated February 16, 1901. Recorded in Book X 23, page 59, same office.

Lot 183. Deed from Alexander McIver, dated February 16, 1901. Recorded in Book X 23, page 94, same office.

Lot 184. Deed from C. C. Schirmer, dated February 16, 1901. Recorded in Book X 23, page 121, same office.

Lot 185. Deed from Rebie V. Salinas, dated February 20, 1901. Recorded in Book X 23, page 116, same office.

Lot A. Deed from John C. Wieters, dated February 16, 1901. Recorded in Book X 23, page 137, same office.

Lot B. Deed from Charles Litschgi, dated February 16, 1901. Recorded in Book X 23, page 74, same office.

Lot C. Deed from Harriet E. Chreitzberg, dated February 18, 1901. Recorded in Book X 23, page 56, same office.

Lot D. Deed from George L. Buist, dated January 31, 1901. Recorded in Book X 23, page 50, same office.

Lot G. Deed from James C. La Coste, et al., dated December 5, 1900. Recorded in Book X 23, page 71, same office.

Lot H. Deed from Annie P. Yates, dated February 18, 1901. Recorded in Book X 23, page 145, same office.

Lot I. Deed from Lucius Cuthbert, dated February 19, 1901. Recorded in Book X 23, page 68, same office.

Lot A–1. Deed from Henry F. Welch, dated February 16, 1901. Recorded in Book X 23, page 134, same office.

Lot A–3. Deed from Jessie E. W. Welch, dated February 16, 1901. Recorded in Book X 23, page 135, same office.

Lot A–5. Deed from Laura O. Crawford, dated November 20, 1900. Recorded in Book X 23, page 67, same office.

Lot A–6 and Lot A–12. Deed from Frank Q. O'Neill, dated February 18, 1901. Recorded in Book X 23, page 100, same office.

Lot A–7. Deed from E. I. Anderson, dated February 16, 1901. Recorded in Book X 23, page 40, same office.

Lot A–8. Deed from T. McCarrell, dated February 18, 1901. Recorded in Book X 23, page 88, same office.

Lot A–9. Deed from Mary G. Baker, dated December 7, 1900. Recorded in Book X 23, page 43, same office.

Lot A–10. Deed from Mary C. O'Neill, dated December 11, 1900. Recorded in Book X 23, page 105, same office.

Lot A–11. Deed from Anna T. Williams, Dated February 16, 1901. Recorded in Book X 23, page 138, same office.

Lot A–13. Deed from James B. O'Neill, dated February 18, 1901. Recorded in Book X 23, page 104, same office.

Lot A–15. Deed from Margaret Buckley, dated February 25, 1901. Recorded in Book X 23, page 48, same office.

Lot A–16. Deed from Lizzie J. Robertson, dated February 16, 1901. Recorded in Book X 23, page 115, same office.

Lot A–17. Deed from Harry C. Schirmer, dated February 16, 1901. Recorded in Book X 23, page 124, same office.

Lot A–18. Deed from Elizabeth B. Schirmer, dated February 16, 1901. Recorded in Book X 23, page 122, same office.

Lot A–19. Deed from Caroline A. Schachte, dated February 16, 1901. Recorded in Book X 23, page 119, same office.

The following deeds release the title of the grantors to improvements, etc., on Lots comprised within premises ceded to the United States by Act of the State Legislature, approved March 2, 1903.

Lot 81. Deed from Thomas P. O'Hagan, dated April 22, 1905. Recorded in Book U 24, page 315, in the Regester's Office of Mesne Conveyances, Charleston County, South Carolina.

Lots 82, 86 and 93. Deed from Dennis McKevlin, dated April 15, 1905. Recorded in Book U 24, page 310, same office.

Lot 83. Deed from Susie McKevlin, dated April 12, 1905. Recorded in Book U 24, page 306, same office.

Lot 84. Deed from Clerk U. S. Circuit Court, District of South Carolina, dated May 31, 1905. Recorded in Book U 24, page 361, same office.

Lot 84-A. Deed from Cecelia McInerny, dated April 12, 1905. Recorded in Book U 24, page 302, same office.

Lot 84-B. Deed from H. S. Svendsen, dated April 12, 1905. Recorded in Book U 24, page 308, same office.

Lots 84-C, 96, 114, and 114½. Deed from Bartholomew Buckley, dated June 1, 1905. Recorded in Book U 24, page 364, same office.

Lots 84½, 115, 118, and 134. Deed from John McInerny, dated April 12, 1905. Recorded in Book U 24, page 303, same office.

Lot 85. Deed from Mary F. Jara, dated May 2, 1905. Recorded in Book U 24, page 327, same office.

Lot 86½. Deed from Thomas J. McKevlin, dated April 15, 1905. Recorded in Book U 24, page 312, same office.

Lot 87. Deed from Johanna Scharlock and Francis Scharlock, dated June 16, 1905. Recorded in Book U 24, page 367, same office.

Lot 88. Deed from Annie A. Tobin, dated April 19, 1905. Recorded in Book U 24, page 319, same office.

Lot 89. Deed from John F. Tobin, dated April 19, 1905. Recorded in Book U 24, page 320, same office.

Lot 90. Deed from Maggie Buckley, dated April 22, 1905. Recorded in Book U 24, page 326, same office.

Lot 91. Deed from Hannah Alice O'Hagan, dated May 2, 1905. Recorded in Book U 24, page 328, same office.

Lot 92. Deed from Clerk U. S. Circuit Court, District of South Carolina, dated May 31, 1905. Recorded in Book U 24, page 362, same office.

Lot 94. Deed from Vermille Elizabeth Webb, dated May 2, 1905. Recorded in Book U 24, page 322, same office.

Lots 95 and 110. Deed from Henry Behrman, dated June 16, 1905. Recorded in Book U 24, page 368, same office.

Lot 97. Deed from Isabel Tobias, dated April 20, 1905. Recorded in Book U 24, page 318, same office.

Lot 98. Deed from Clerk U. S. District Court, Eastern District of South Carolina, dated January 19, 1906. Recorded in Book U 24, page 386, same office.

Lot 99. Deed from Mary O. Aimar, dated May 2, 1905. Recorded in Book U 24, page 323, same office.

Lot 100. Deed from Trustees of Protestant Episcopal Church, in South Carolina, dated June 22, 1905. Recorded in Book U 24, page 370, same office.

Lot 109. Deed from Priscilla S. Salter, dated April 20, 1905. Recorded in Book U 24, page 317, same office.

Lot 109½. Deed from T. S. Blanchard, dated May 3, 1905. Recorded in Book U 24, page 324, same office.

Lot 111. Deed from Mary Cahill and Mary Jane Cahill, dated May 20, 1905. Recorded in Book U 24, page 358, same office.

Lot 112. Deed from Josephine McGuire, dated May 5, 1905. Recorded in Book U 24, page 329, same office.

Lot 113. Deed from Mary Frances Touhey, dated May 2, 1905. Recorded in Book U 24, page 321, same office.

Lot 113½. Deed from Ferdinand Cherry, dated April 12, 1905. Recorded in Book U 24, page 301, same office.

Lot 116. Deed from Miriam Cohen and Isabel Cohen, dated May 12, 1905. Recorded in Book U 24, page 359, same office.

Lot 117. Deed from Mattie R. Riggs, dated May 15, 1905. Recorded in Book U 24, page 357, same office.

Lot 129. Deed from Thomas J. McGolrick, dated August 2, 1904. Recorded in Book R 24, page 256, same office.

Lot 130. Deed from M. Pozaro, dated August 2, 1904. Recorded in Book R 24, page 255, same office.

Lot 130–A. Deed from E. A. Svendsen, dated April 12, 1905. Recorded in Book U 24, page 307, same office.

Lot 130–B. Deed from Joseph P. McInerny, dated May 2, 1905. Recorded in Book U 24, page 314, same office.

Lot 130 1–2. Deed from C. T. Blanchard, dated April 12, 1905. Recorded in Book U 24, page 298, same office.

Lots 133 and 135. Deed from E. S. Burnham, dated April 12, 1905. Recorded in Book U 24, page 299, same office.

Lot 136. Deed from William E. Huger, dated April 14, 1905. Recorded in Book U 24, page 309, same office.

The following deeds release the title of the grantors to improvements, etc., on premises ceded to the United States by Act of the State Legislature, approved February 22, 1905.

Deed from James A. Truesdell, dated February 18, 1905, conveying his interest in lands, etc., south of the right of way of the Seashore Division of the Charleston Consolidated Railway, Gas and Electric Company, and east of the street, and the extension thereof southward, designated as Sixth Street on the plan of Moultrieville made by Lamble, surveyor, 1899, and recorded in Book D, page 184, R. M. C. Office, Charleston County. Deed recorded in Book U 24, page 333, same office.

Deed from The Town Council of Moultrieville, dated January 23, 1905, conveying its interest in same premises as above. Recorded in Book U 24, page 330, same office.

Under Act of February 19, 1906, the United States acquired full title to the premises granted thereby, being two lots measuring 200 x 225 feet, approximately—it appearing that there were no private rights therein.

These lots were acquired with the understanding that the Life-Saving Service should have the permanent use of all of the land except a small portion in the northwest corner, measuring 40 feet along Ion street by 75 feet deep, which was required for a secondary mine-defense observing station. Pursuant to this understanding the transfer was made by letter to the Secretary of the Treasury, dated September 14, 1906.

The Act of December 24, 1894, provides "That all streets, roads and highways within the said tracts or parcels of land" (*i. e.*, those granted by the Act) "are vacated and discontinued from the time the said grant becomes effectual."

The Act of February 9, 1900, contains the same provision, with the addition of the words "except as herein otherwise provided." This is understood to refer to the exceptions from the grant by the words "excepting from the area described those portions which are occupied and in use by the public as highways, known as Central Avenue and Beach Avenue." (Acts of S. C., 1900, page 422).

The Act of February 8, 1901, grants title to "the land comprising those portions of Central Avenue and Beach Avenue" which lie between Pettigru and Sumter Streets (*i. e.*, those portions within the reservation), and vacates and discontinues said portion of Beach Avenue as a public highway; upon the following provisos:

"That the portion of Central Avenue herein ceded shall be forever kept open as a public street; and this cession shall in no way interfere with any private rights, or any franchise heretofore legally granted with reference to said Central Avenue: *And provided, further*, That this State reserves the right to authorize the laying and maintaining of tracks for railroad or traction purposes on and across the portion of Central Avenue ceded, or on lands contiguous thereto, and lying within 15 feet of the same." (Acts of S. C., 1901, page 608).

The Act of March 2, 1903, contains, substantially, the same provision vacating streets, etc., within the area granted, with an exception

of Central Avenue, and further provides: "that the portion of Central Avenue within the tract herein ceded shall be forever kept open as a public street, and shall, together with its continuation through the Government reservation, be kept in proper condition and repair by the Government; and this cession shall in no way interfere with any private rights or any franchise heretofore legally granted with reference to said Central Avenue: *And provided, further*, That this State reserves the right to authorize the laying and maintaining of tracks for railroad or traction purposes on or across the portion of Central Avenue ceded, or on lands contiguous thereto, and lying within fifteen feet of the same." (Acts of S. C., 1903, page 4.)

The Acts of February 22, 1905, and February 19, 1906, contain a provision vacating "all streets, roads, rights of way, and highways within said tract or parcel of land * * * from the time the said grant becomes effectual, saving such as are expressly excepted or reserved in this Act"—this exception referring to the following provisions of the Act:

"*Provided, further*, And the said grant is made subject to the following reservations and exception, to wit: that such portion of the front beach of said Sullivan's Island included within the limits of said grant, as lies below a line drawn along said beach twenty (20) feet above high water mark, and parallel thereto, shall be always open to the public as a footway and driveway, so that the public shall have the free and unobstructed right of passage by foot and carriage upon, over and across the same, subject to the right of the said United States Government to close and exclusively occupy the same, so far as the reservations in this proviso are concerned, at the following times and under the following circumstances, to wit:

1. During hours of actual target practice in, over or upon the said portion of the said premises (during (or *prior* to) which time of closure, due and proper notice of the same shall be given to the public).

2. During hours of actual military drill in, over and upon the said portion of the said premises, and

3. During time of war."

(Acts of S. C., 1905, page 825.)

Jurisdiction was ceded to the United States over the tracts granted to the United States by the said Acts of December 24, 1894, February 9, 1900, March 2, 1903, February 22, 1905, and February 19, 1906, in terms, substantially, as follows:

"SECTION 1. *Be it enacted, etc.* That the right, title and interest of this state to, and the jurisdiction of this state over, the following described tracts or parcels of land, and land covered with water, situated in the town of Moultrieville, on Sullivan's Island, in the County of Charleston, in this state, be, and the same are hereby, granted and ceded to the United States of America" (purposes stated: "As sites for the location, construction and prosecution of works of fortification and coast defenses" in Act of December 24, 1894; same with addition of words "and for the uses of the garrison" in Act of February 9, 1900; "for the enlargement of the military reservation on said island" in Acts of March 2, 1903, February 22, 1905, and February 19, 1906) * * * "to wit:" (Here follows descriptions by metes and bounds of the tracts granted by the

several Acts); "*Provided*, that there is hereby reserved to this State a concurrent jurisdiction for the execution within said lands of all process, civil or criminal, lawfully issued by the Courts of this State, and not incompatible with this cession."

The Act of February 8, 1901, cedes jurisdiction over those portions of Beach and Central Avenues within the reservation, subject to the same provision as to service of process.

Easement: The Charleston Consolidated Railway Gas and Electric Company operates a street car line through the reservation along Central Avenue, in accordance with the provisions of section 1, of the Act of the State Legislature, approved March 2, 1903.

Revocable License: License, September 22, 1897, to the Town Council of Moultrieville to occupy and use for street purposes a triangular parcel of land on the reservation.

CASTLE PINCKNEY.

This reservation contains an area of about 3.50 acres, and is situated on Shute's Folly Island, at the mouth of Cooper River, opposite the southern extremity of the City of Charleston, and about 1 mile distant therefrom. The title is as follows:

1. Ceded to the United States by the State of South Carolina by an act of the Legislature passed December 19, 1805.
2. Land resurveyed and regranted to the United States by an act of the State Legislature passed December 18, 1846.

For the foregoing acts see Fort Moultrie.

FORT SUMTER.

This reservation contains an area of about 2.4 acres, and is situated at the entrance to Charleston Harbor, 5 miles from the City of Charleston, on made island, and midway between Forts Moultrie and Johnson. The title and jurisdiction were ceded to the United States by Resolution of the Legislature of South Carolina providing as follows:

"*Resolved*, That this State do cede to the United States, all the right title and claim of South Carolina to the site of Fort Sumter and the requisite quantity of adjacent territory, *Provided*, That all processes, civil and criminal issued under the authority of this State, or any officer thereof, shall and may be served and executed upon any of the land so ceded, or structures to be erected upon the same, and any person there being who may be implicated in law; and that the said land, site and structures enumerated, shall be forever exempt from liability to pay any tax to this State.

"*Also resolved*, That the State will extinguish the claim, if any valid claim there be, of any individuals under the authority of this State, to the land hereby ceded.

"*Also resolved*, That the Attorney-General be instructed to investigate the claims of Wm. Laval and others, to the site at Fort Sumter, and adjacent land contiguous thereto; and if he shall be of opinion, that these parties have a legal title to the said land, that Generals Hamilton and Hayne and James L. Pringle, Thomas Bennett, and Ker. Boyce, Esquires, be appointed Commissioners on behalf of the State, to appraise the value thereof. If the Attorney-General should

be of opinion that the said title is not legal and valid, that he proceed by *scire facias* or other proper legal proceedings to have the same avoided; and that the Attorney-General and the said Commissioners report to the Legislature at its next session.

The foregoing Resolution was recorded in Book C, No. 11, page 310, etc., in the Register's Office of Mesne Conveyances at Charleston July 9, 1840.

FORT WINYAW.

This reservation contains an area of about 7 acres and is situated on what is called Blythe's Point, at the mouth of Sampit Creek or Georgetown River, Georgetown Harbor, in Georgetown District. The title is as follows:

Deed from Joseph Blythe, dated April 21, 1812, conveying 7 acres, on Blythes Point. Recorded in Book J, page 141, etc., in the Register's Office for Mesne Conveyances for the Georgetown District, May 13, 1812, and in Book G, No. 8, page 30, etc., in the Register's Office for Mesne Conveyances for the Charleston District, April 29, 1812.

Consent to the purchase was given and jurisdiction ceded by Acts of the State Legislature, passed December 19, 1805, and December 17, 1808, which acts are as follows:

(For Act passed December 19, 1805, see Fort Moultrie.)

"Whereas by an act passed the nineteenth day of December, one thousand eight hundred and five, entitled 'An Act to cede to the United States various forts, fortifications and sites for the erection of forts' it is enacted that a quantity of land not exceeding four acres for a battery or fort and necessary buildings on Doctor Blythe's point of land at the mouth of Sampit river shall be ceded to the United States, and whereas it is necessary to cede a greater quantity of land for the purposes aforesaid:

"1. *Be it therefore enacted, etc.*, That there shall be and hereby is granted to the United States of America, all the right title and claim of the State to a quantity of land not exceeding six acres on Doctor Blythe's point of land at the mouth of Sampit river adjoining and in addition to the quantity of land not exceeding four acres by the act aforesaid granted to the United States for a battery or fort and necessary buildings.

"2. *And be it enacted, etc.*, That Joseph Alston, Savage Smith, Benjamin Hager, John Keith, and Paul Trapier or any three of them be and they are hereby appointed Commissioners and authorized to locate by proper metes and bounds at the expense of this State so far as the charges of surveyors shall be incurred, the above mentioned quantity of land, and who shall return into the Office of the Secretary of this State on or before the first day of June in the year one thousand eight hundred and nine, a fair plat of survey and accurate description of the said land so ceded, setting forth the limits and bounds of the same.

"3. *And be it further enacted, etc.*, That all the provisions restrictions and clauses contained in the aforesaid Act applicable and relative to the quantity of land not exceeding four acres of land on Doctor Blythe's point of land at the mouth of Sampit river thereby ceded to the United States shall be, and the same are hereby declared to be applicable and relative to the quantity of land not exceeding six acres by this act ceded and granted to the United States."

Revocable License: License, January 13, 1857, to the Treasury Department to occupy a portion of the reservation for light house purposes.

SOUTH DAKOTA.

FORT MEADE.

This reservation contains an area as follows: Post reservation, 12.50 square miles, and Wood and Timber reservation 27,293 acres. It is situated in Meade County, near the town of Sturgis, on the Fremont, Elkhorn and Missouri Valley Railroad. The title is as follows:

As a part of the public domain the following reservations were made:

1. By Executive Order dated December 18, 1878, Post reservation was declared.
2. By same authority, dated April 18, 1881, Wood and Timber reservation declared.
3. Executive Order dated May 27, 1885, modified original order.
4. Executive Order dated September 16, 1889, Wood and Timber reservation enlarged.

The following part of the Post reservation was acquired by purchase:

Twenty-one acres, more or less, fully described in a deed from William McMillan and wife, dated April 2, 1889. Recorded in Book 67, page 338, etc., of the deed records of Lawrence County. See G. O. No. 78, War Dept., April 18, 1906.

Jurisdiction was ceded to the United States by Paragraph 5, of Section 18, Article 26, of the Constitution of South Dakota, as follows:

"Fifth. That jurisdiction is ceded to the United States over the military reservations of Fort Meade, Fort Randall, and Fort Sully, heretofore declared by the President of the United States: *Provided*, Legal process, civil and criminal, of this State shall extend over such reservations in all cases of which exclusive jurisdiction is not vested in the United States, or of crimes not committed within the limits of such reservations."

Easement: Act of Congress, approved February 28, 1887, granted a right of way 100 feet in width across the reservation to the Fremont, Elkhorn and Missouri Valley Railroad Company. Definite location approved by Secretary of War, June 16, 1887.

Revocable Licenses: License, August 4, 1882, to Mrs. M. E. Fletcher to take water from Bear Creek by means of a ditch running about 300 feet through the reservation.

License, February 6, 1885, to citizens of town of Sturgis to construct a road across the southeast corner of the reservation.

License, July 20, 1897, to The Sturgis Electric Light and Railway Company to lay tracks and erect poles and wires on the reservation.

License, April 28, 1906, to the Nebraska Telephone Co., for telephone system on reservation.

TENNESSEE.

ACT CEDING JURISDICTION OVER NATIONAL CEMETERIES.

"Whereas in the late bloody sacrifice to restore and maintain to the people of Tennessee the imperiled free institutions of our fathers, more than fifty-five thousand of our fallen patriots were buried in our State, and the Government of our Common Union has provided appropriate cemeteries for the remains of these victims of rebellion and requires that these cemeteries be held sacred under the protection of the Nation: Therefore,

"SECTION 1. *Be it enacted, etc.*, That the exclusive jurisdiction over the several tracts of land and parcels of ground with the appurtenances thereto, obtained, purchased, used or occupied for burial purposes by or for the United States hereinafter described by their names and location, with the premises thereto attached for officers' and soldiers' quarters and for guards is hereby ceded to the United States: *Provided, however*, That jurisdiction thereof shall be retained by the State of Tennessee so far as to punish offenders against this law by presentment or indictment and fine or imprisonment as hereinafter provided:

"Knoxville National Cemetery, in Knox County, containing about 4 acres.

"Chattanooga National Cemetery, in Hamilton County, containing about 75 acres.

"Stones River National Cemetery, in Rutherford County, containing about 16 acres.

"Shiloh National Cemetery, in Hardin County, containing about 10 acres.

"Cumberland River National Cemetery, in Stewart County, containing about 25 acres.

"Mississippi River National Cemetery, in Shelby County, containing about 25 acres.

"Nashville National Cemetery (on Craighead place, so called), in Davidson County, containing about 64 acres.

"Columbia National Cemetery, in Maury County, containing about —— acres.

"Cumberland Gap National Cemetery, in Claiborne County, containing about 2 acres.

"Hazen's Brigade National Cemetery, in Rutherford County, containing about 2 acres.

"SEC. 2. That the exclusive jurisdiction over all tracts and parcels of land, with the buildings and appurtenances belonging to the same including the quarters for Officers, Keepers, Guards or Soldiers in charge of the same, and the premises connected therewith, now or at any time hereafter purchased, used or occupied by the United States, their Officers or Agents, for Cemeteries or burial places within the limits of this State, is hereby ceded to the United States, and whenever such premises shall be no longer required, used or occupied by the United States, the jurisdiction of such abandoned property may revert to the State of Tennessee.

"SEC. 3. The property over which jurisdiction is ceded herein shall be held exonerated and free from any taxation, or assessment under the authority of this State or of any municipality therein, until the

jurisdiction shall have reverted, and the title and possession to said cemeteries, grounds, buildings and appurtenances shall be protected to the United States, and no process of any court shall be permitted against the same, or to dispossess the Officers or Agents of the United States, thereof, without restricting any just claim for damages or value, in the form or mode provided by the United States for prosecuting the same.

"SEC. 4. That any malicious, wilful, reckless or voluntary injury to, or mutilation of the graves, monuments, fences, shrubbery, ornaments, walks or buildings of any of said Cemeteries or burial places or appurtenances, shall subject the offender or offenders, each, to a fine of not less than twenty dollars, to which may be added, for an aggravated offense, imprisonment not exceeding six months in the County Jail or Work-house, to be prosecuted before any Court of competent jurisdiction.

"SEC. 5. That this act shall take effect and be in force from and after its passage."

(Passed March 9, 1867. Code of Tenn., 1884, sec. 72.)

CHATTANOOGA NATIONAL CEMETERY.

This reservation contains an area of 129.53 acres, about 75 acres inclosed. It is situated at Chattanooga, Hamilton County. The cemetery was founded by order of Maj. Gen. George H. Thomas, December 25, 1863, in commemoration of the Battle of Chattanooga fought November 23, 24, 25, 26 and 27, and to provide a proper resting place for the remains of the brave men who fell upon the fields fought over upon those days, and for the remains of such as may hereafter give up their lives in this region in defending their country against treason and rebellion. The hill beyond the Western and Atlantic Railroad in a southeasterly direction from the town of Chattanooga was selected as the site. Board appointed to appraise land, etc., by Special Order 82, Headquarters Military Division of Tennessee, reported with recommendations to conform to Act of Congress approved February 22, 1867. Approved by the Secretary of War March 23, 1867. A portion of the land within the present area formerly belonged to the United States, and was known as the Military Post of Chattanooga. This portion was by order of the War Department, dated February 5, 1884, declared to be a part of the National Cemetery. The title to the reservation is as follows:

1. Deed from Robert M. Hooke, dated July 14, 1870, conveying 48.92 acres of land. Recorded in Book T, pages 142 and 143, of the deed records of Hamilton County.

2. Deed from T. G. Montague, dated August 12, 1870, conveying 3¾ acres of land.

3. Deed from H. F. Parrish, dated August 16, 1870, conveying a tract by metes and bounds. Recorded in Book T, pages 226 and 227, of same records.

4. Decree of Condemnation in the District Court of the United States for the Eastern District of Tennessee, in the case of Joseph Ruohs et al. *v.* The United States, involving the whole of the lands within said reservation, as follows: Lands owned by Joseph Ruohs, 75.45 acres; lands owned by Robert M. Hooke, 48.92 acres; lands

owned by J. R. Slayton, 2.82 acres, and lands owned by the heirs of John Ambler, deceased, 2.34 acres, the whole aggregating 129.53 acres of land. Decree made final February 20, 1869, and filed with the record in said cause in the Clerk's office of said Court at Knoxville.

By Ordinance, dated February 7, 1882, the city of Chattanooga granted to the United States that portion of Montgomery Avenue from its intersection with Market Street, eastwardly to the city limits; also certain land to continue the road to the cemetery.

Jurisdiction was ceded by Act of the State Legislature passed March 9, 1867, *ante.*

Easement: By Act of Congress, approved May 1, 1886, the city of Chattanooga was granted the right to construct a roadway 60 feet in width and about 860 feet in length across the reservation.

By deed dated February 20, 1905, the Secretary of War, pursuant to Joint Resolution of Congress, approved February 3, 1905, turned over to Troop B, Unattached Cavalry, National Guard of Tennessee, that portion of the cemetery reservation "lying outside of said cemetery and west of the south gate thereof," subject to the limitations and provisions of said Joint Resolution, including the reservation of the right to use the premises for military purposes.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK.

See "Chickamauga and Chattanooga National Military Park," under Georgia.

FORT DONELSON NATIONAL CEMETERY.

This reservation contains an area of 15.34 acres, about 5 acres inclosed, and is situated at Dover, on the Cumberland River, in Stewart County. The title is as follows:

Deed from James P. Flood and Nathan Brandon, dated April 23, 1867, conveying the above tract. Recorded in Book A, page 197, of the deed records of Stewart County.

Jurisdiction was ceded by act of the State Legislature approved March 9, 1867, *ante.*

HAZEN MONUMENT.

This reservation contains an area of 145 poles of land, and is situated in Rutherford County, near Murfreesboro, between the Nashville, Murfreesboro and Shelbyville Turnpike and the Nashville and Chattanooga Railroad. The title is as follows:

1. Decree of Condemnation for above property in a proceeding entitled R. D. Jamison, Administrator, etc., et al. *v.* J. B. Cowan et al., in the Chancery Court for Rutherford County; rendered at the October term, 1874. Sale upon decree. Purchased by the United States February 1, 1875, and confirmed April 26, 1875. Decree, Order and Report, and Confirmation of sale filed with the record in the Clerk's Office of said Court.

2. Deed from J. W. Sparks, Clerk and Master of the Chancery Court at Murfreesboro, for Rutherford County, dated May 5, 1875,

conveying the property in accordance with above decree. Registered in Book 21, page 144, and noted in Notebook 2, page 11, of the deed records of Rutherford County.

For jurisdiction see Act of March 9, 1867, *ante*.

KNOXVILLE NATIONAL CEMETERY.

This reservation contains an area of 9.83 acres of land, to which is added a right of way, and is situated at Knoxville, in Knox County. The title is as follows:

1. Deed from John Damron, dated June 10, 1867, conveying 10 acres of land, more or less. Registered in Book F, Vol. 3, page 137, of the deed records of Knox County.

2. Appraisement of above land and Decree of Court in cause of John Damron *v.* The United States, rendered May 22, 1867, in the District Court of the United States for the Eastern District of Tennessee, and filed in the Clerk's Office of said Court at Knoxville.

The right of way from a point in the city of Knoxville to the National Cemetery was procured by authority of an Act of Congress, approved July 28, 1886, and title is as follows:

3. Right of Way granted January 5, 1886, by the Road Commissioner of the Second District of Knox County.

4. Right of Way granted (and jurisdiction to manage, etc.) September 3, 1886, by the Mayor and Aldermen of the City of Knoxville. Ordinance filed in the Clerk's Office at Knoxville. The validity of this grant has been questioned as being *ultra vires*.

Jurisdiction was ceded by Act of the State Legislature, approved March 9, 1867, *ante*.

MEMPHIS NATIONAL CEMETERY.

This reservation contains an area of 43.91 acres, about 37 acres inclosed. It is situated about 7 miles from Memphis, in Shelby County. The title is as follows:

1. Deed from William Sides, dated February 20, 1867, conveying 8 acres of land. Recorded in Record Book No. 68, page 156, etc., of the deed records of Shelby County.

2. Deed from Augustus Alston, Clerk and Master in Chancery, dated April 8, 1867, conveying 16 acres of land. Recorded in Record Book No. 68, page 216, etc., of same records.

3. Deed from Coleman Boyd, surviving partner, etc., et al., dated May 23, 1868, conveying 19.91 acres of land.

For jurisdiction see Act of March 9, 1867, *ante*.

NASHVILLE NATIONAL CEMETERY.

This reservation contains an area of 65 acres, about 60.60 acres inclosed. It is situated 6 miles north of Nashville, on the Gallatin Turnpike, and 1¼ miles from Madison, in Davidson County. The title is as follows:

1. Deed from Morton B. Howell, Clerk and Master of the Chancery Court at Nashville for the County of Davidson, dated July 3, 1866, conveying 45.91 acres of land. Registered in Book No. 38, page 648, of the deed records of Davidson County.

2. Decree of Condemnation and sale ordered of 17 acres and 156 poles in cause wherein Peter Anderson was plaintiff and McRoberts and McKee defendants, in the Chancery Court for the County of Davidson, at Nashville. Land purchased by the United States August 11, 1866. Decree, report, and sale confirmed by the Chancery Court January 19, 1867, and recorded in Minute Book L, pages 276 to 280, inclusive, in the Clerk's Office of said Court at Nashville.

3. Deed from J. Watts Judson, dated October 17, 1879, conveying 1.50 acres. Registered in Book No. 63, pages 360 and 361, of the deed records of Davidson County.

Jurisdiction was ceded by Act of the State Legislature, approved March 9, 1867, *ante*.

PITTSBURG LANDING NATIONAL CEMETERY.

This reservation contains an area of 10.05 acres, about 9 acres inclosed. It is situated on the Tennessee River at Pittsburg Landing, in Hardin County. The title is as follows:

Decree of Condemnation for the above premises in the cause entitled The United States *v.* Mary A. Harmon et al., in the United States District Court for the District of West Tennessee. Decree rendered January 6, 1869, and filed with the record of said cause in the Clerk's Office of said Court at Memphis.

Jurisdiction was ceded by Act of the State Legislature, approved March 9, 1867, *ante*.

SHILOH NATIONAL CEMETERY.

See "Pittsburg Landing National Cemetery."

SHILOH NATIONAL MILITARY PARK.

This Park, situated in Hardin County, near the Tennessee River, was established under authority of an Act of Congress, approved December 27, 1894, being "An Act to establish a National Military Park at the battlefield of Shiloh." As described in said act, it contains 3,000 acres, more or less.

The title is as follows:

1. Deed from George W. L. Smith and wife, dated September 28, 1896, conveying 85.18 acres of land. Recorded in Book Z, page 15, etc., of the deed records of Hardin County.

2. Deed from Samuel Chambers and wife, dated January 2, 1897, conveying 101 acres of land. Recorded in Book Z, page 323, etc., of same records.

3. Deed from Thomas Walker, dated January 2, 1897, conveying 206.05 acres. Recorded in Book Z, page 206, etc., of same records.

4. Deed from W. G. Petty and wife, dated April 17, 1897, conveying 206.15 acres. Recorded in Book Z, page 331, etc., of same records.

5. Deed from W. G. Petty and wife, dated April 17, 1897, conveying 204.97 acres of land. Recorded in Book Z, page 342, etc., of same records.

6. Deed from P. N. Tilghman and wife, dated April 26, 1897, conveying 79.08 acres of land. Recorded in Book Z, page 329, etc., of same records.

7. Decree of Condemnation of 180.90 acres of land in cause No. 2274, The United States *v.* W. C. and O. C. Meeks, in the District Court of the United States, within and for the Eastern Division of the Western District of Tennessee, in the Sixth Judicial Circuit thereof. Rendered April 27, 1897, and filed with the record in said cause in the Clerk's Office of said Court in the City of Jackson.

8. Deed from Samuel Chambers and wife, dated February 23, 1897, conveying 65.11 acres. Recorded in Book A A, page 241 etc., of the records of Hardin County.

9. Deed from James J. Fraley and wife, dated August 26, 1897, conveying 160.45 acres. Recorded in Book A A, page 65 etc., of same records.

10. Deed from James J. Fraley and wife, dated September 11, 1897, conveying 52.52 acres. Recorded in Book A A, page 67 etc., of same records.

11. Deed from W. G. Petty and wife, dated November 29, 1897, conveying 151.31 acres. Recorded in Book A A, page 243 etc., of same records.

12. Deed from Samuel Chambers and wife, dated December 1, 1897, conveying 385.77 acres. Recorded in Book A A, page 247 etc., of same records.

13. Deed from W. A. Rowsey and wife, dated December 1, 1897, conveying 89.65 acres. Recorded in Book A A, page 72 etc., of same records.

14. Deed from S. M. Rogers and wife, dated December 13, 1897, conveying 69.81 acres. Recorded in Book A A, page 64 etc., of same records.

15. Deed from Samuel Chambers and wife, dated December 29, 1897, conveying 56.94 acres. Recorded in Book A A, page 365 etc., of same records.

16. Deed from John R. Duncan and wife, et al., dated January 8, 1898, conveying 168.84 acres. Recorded in Book A A, page 245, etc., of same records.

17. Deed from D. H. Cantrell and wife, dated January 8, 1898, conveying 36.28 acres. Recorded in Book A A, page 69, of same records.

18. Deed from Geo. H. Hurley and wife, dated January 8, 1898, conveying 43.50 acres. Recorded in Book A A, page 71, of same records.

19. Deed from J. W. Lowell and wife, dated January 8, 1898, conveying 37.54 acres. Recorded in Book A A, page 63, etc., of same records.

20. Deed from Ervin P. Tillman and wife, dated January 8, 1898, conveying 35.55 acres. Recorded in Book A A, page 369, etc., of same records.

21. Deed from F. M. Hagy and wife, dated December 28, 1898, conveying 211.54 acres. Recorded in Book B B, page 122, etc., of same records.

22. Deed from W. G. Petty and wife, dated January 7, 1899, conveying 146.59 acres. Recorded in Book A A, page 364, of same records.

23. Deed from Samuel Chambers and wife, dated January 7, 1899, conveying 31.20 acres. Recorded in Book B B, page 129, etc., of same records.

24. Deed from James W. Bell and wife, dated January 7, 1899, conveying 72.21 acres. Recorded in Book A A, page 315, etc., of same records.

25. Deed from Hugh D. Harris and wife, dated January 7, 1899, conveying 1 acre. Recorded in Book A A, page 431, of same records.

26. Deed from A. W. Walker and wife, dated January 9, 1899, conveying 172.60 acres. Recorded in Book A A, page 367, of same records.

27. Deed from M. C. McDaniel and wife, dated August 10, 1899, conveying 7.26 acres. Recorded in Book B B, page 130, etc., of same records.

28. Deed from Samuel Chambers and wife, dated March 16, 1903, conveying 2.4 acres. Recorded in Book D D, page 230, etc., of same records.

29. Deed from O. H. P. Cantrell and wife, dated July 14, 1903, conveying 75.08 acres. Recorded in Book D D, page 251, etc., of same records.

Jurisdiction was ceded by act of the State Legislature approved April 29, 1895, which provides as follows:

"Whereas, The Congress of the United States has by an act, approved December 27, 1894, appropriated seventy-five thousand dollars for the purchase of the battle-field of Shiloh, in the State of Tennessee, and for beginning the establishment of a National Military Park thereon, where the history of all military organizations engaged in that battle is to be impartially preserved by tablets and monuments, and where all the States which had troops in the engagement are to have equal rights and recognition:

"Section 1. *Be it enacted, etc.*, That upon the acquisition of title by the United States, through the payment of such sum as may be agreed upon with the respective owners, or fixed by the decree of any court which may have proper and legal jurisdiction of the matter, the jurisdiction of the State of Tennessee over the said tract thus acquired, its lands and roads, is hereby ceded to the United States for the purposes set forth in said Act of Congress, approved December 27th, 1894, establishing the said Shiloh National Military Park—that is to say, over a tract situated in Hardin County, or in Hardin and McNairy Counties, in the State of Tennessee, or over so much thereof as the Commissioners of the park may deem necessary to acquire, to wit: Beginning at low-water mark on the north bank of Snake Creek, where it empties into the Tennessee River; thence westwardly in a straight line to the point where the river road to Crump's Landing, Tennessee, crosses Snake Creek; thence along the channel of Snake Creek and Owl Creek; thence along the channel of Snake Creek to Owl Creek; thence along the channel of Owl Creek to the crossing of the road from Hamburg to Purdy; thence southwardly in a straight line to the intersection of an east and west line drawn from the point where the road to Hamburg, Tennessee, crosses Lick Creek, near the mouth of the latter; thence eastward along the said east and west line to the point where the Hamburg road crosses Lick Creek; thence along the channel of Lick Creek to the Tennessee River; thence along

the low-water mark of the Tennessee River to the point of beginning, and such other lands contiguous thereto as the said park commissioners may consider it necessary to acquire: *Provided*, That this cession is upon the express condition that the State of Tennessee shall so far retain a concurrent jurisdiction over said lands and roads, as that all civil and criminal processes issued under the authority of the State of Tennessee may be executed thereon in like manner as if this Act had not been passed.

"SEC. 2. *Be it enacted, etc.*, That this Act shall take effect from and after its passage, the public welfare requiring it." (Acts of Tenn., 1895, p. 117.)

Revocable License: July 31, 1906, to the Tulu Telephone Co. for telephone line through the park.

STONES RIVER NATIONAL CEMETERY.

This reservation contains an area of 20.10 acres of land, about 18.45 acres inclosed. It is situated about 3 miles from Murfreesboro, in Rutherford County. The title is as follows:

1. Deed from James M. Tompkins, Clerk and Master of the Chancery Court for Rutherford County, dated July 10, 1868, conveying 7 acres and 69 poles of land. Recorded in Book No. 16, pages 30 and 31, of the deed records of Rutherford County.
2. Deed from James M. Tompkins, dated February 10, 1868, conveying 8 acres and 105 poles of land. Recorded in Book No. 15, page 357, of same records.
3. Deed from James M. Tompkins, dated August 10, 1868, conveying 4 acres of land. Recorded in Book 16, pages 31 and 32, of same records.

Jurisdiction was ceded by Act of the State Legislature approved March 9, 1867, *ante*.

TEXAS.

GENERAL ACTS OF CESSION.

Section 34 of Article 16 of the Constitution of Texas provides:

"The legislature shall pass laws authorizing the governor to lease or sell to the Government of the United States a sufficient quantity of the public domain of the state necessary for the erection of forts, barracks, arsenals and military stations or camps, and for other needful military purposes; and the action of the governor therein shall be subject to the approval of the legislature."

Under the foregoing constitutional enactment, the State legislature passed the Acts of December 19, 1849; February 12, 1854; April 4, 1871; and November 28, 1871, giving consent to the purchase or condemnation of lands for military and other purposes by the United States: providing for the cession of jurisdiction thereto and other matters in connection therewith, which acts provide as follows (see Rev. Stats. of Texas, 1895, p. 102, and Sayles' Texas Civil Statutes, 1897, vol. 1, pp. 172–174):

"SECTION 1. *Be it enacted, etc.*, That the United States be, and they are hereby authorized and empowered to purchase, acquire, hold,

own, occupy and posses such land or lands, within the limits of this State, as they shall judge it expedient and shall seek to occupy and hold, as sites on which to erect and maintain lighthouses, forts, garrisons, military stations, magazines, arsenals, dock-yards, and other needful buildings, or any of them, as contemplated and provided in the constitution of the United States; said purchases to be effected either by contract with the owner or owners of said land or lands, or in the manner hereinafter provided."

(Section 2 provides a method of acquiring the lands when the agent of the United States and owner or owners cannot agree for the sale and purchase; also provides a method of appraisement.)

(Section 3 provides for the same, etc., when owner or owners are unknown.)

"SEC. 4. *Be it further enacted*, That whenever the United States shall contract for, purchase or acquire any land or lands, within the limits of this State, for the purposes aforesaid, in either of the modes above mentioned and provided, and shall desire to acquire constitutional jurisdiction over such land or lands, for said purposes, it shall and may be lawful for the Governor of this State, upon application made to him in writing, on behalf of the United States, for that purpose, accompanied by the proper evidence of said purchase, contract or acquisition, of record, describing the land or lands sought to be ceded by convenient metes and bounds, in the name and behalf of this State, to cede to the United States exclusive jurisdiction over the land or lands so purchased or acquired and sought to be ceded to the United States, to hold, use, occupy, own, possess and exercise said jurisdiction over the same for the purposes aforesaid: *Provided always*, the consent aforesaid is hereby given, and the cession aforesaid is to be granted and made as aforesaid upon the express condition that this State shall retain a concurrent jurisdiction with the United States, in and over the land or lands so to be ceded and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of this State, or any of the Courts or judicial officers thereof, may be executed by the proper officers thereof, upon any person or persons amenable to the same, within the limits and extents of the land or lands so ceded, in like manner or to like effect as if this act had never been passed—saving, however, to the United States, security to their property within said limits and extent, an exemption of the same and of said land or lands from any taxation, under the authority of this State, whilst the same shall continue to be owned, held, used and occupied by the United States for the purposes above expressed and intended and not otherwise." (Act approved December 19, 1849.)

"SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That in all cases where the State of Texas may be the owner of the land which the United States may select, and wish to acquire and occupy for any of the purposes specified in the first section of the Act to which this is supplemental, it shall be lawful for the Governor of this State to contract and agree for the sale thereof and upon the payment thereof by the United States of the purchase money into the Treasury of this State, it shall be the duty of the Commissioner of the General Land Office upon the order of the Governor, to issue a patent to the United States in like manner as other patents are issued.

"SEC. 2. That whenever the United States shall become the purchaser of any land in the manner pointed out in the preceding section and shall desire to acquire constitutional jurisdiction over the same, for any of the purposes specified in the first section of the said act to which this is supplemental, it shall be lawful for the Governor of this State to cede said jurisdiction to the United States in the same manner and under the same restrictions, as by the fourth section of said act he is authorized to make such cession on lands acquired by the United States in the manner therein authorized." (Act approved February 13, 1854, supplemental to Act of December 19, 1849.)

"SECTION 1. *Be it enacted, etc.*, That the consent of the Legislature of the State of Texas be and the same is hereby given to the purchase, by the Government of the United States, or under the authority of the same, of any tract, piece or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting therein light-houses and other needful public buildings whatever; and all deeds, conveyances of title papers for the same shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances of any tract or tracts, legal divisions of any public land belonging to the United States, which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent or other official document or paper so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

"SEC. 2. The lots, parcels or tracts of land so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Texas." (Act approved April 4, 1871.)

"SECTION 1. *Be it enacted, etc.*, That section two of 'An Act for ceding to the United States jurisdiction of certain lands in this State for public purposes,' approved December 19, 1849, be so amended that hereafter it shall read as follows: If the Executive Officer, or other authorized agent employed by the United States to make such purchase or purchases, and the owner or owners of the land or lands, contemplated to be purchased as aforesaid, can not contract or agree for the sale and purchase thereof, it shall be lawful for such officer, or other agent, to apply in writing to the judge of the district court of the court in which such land or lands, or the greater portion thereof, may be situated, to estimate the value of such land or lands in the manner hereinafter mentioned, and to order a conveyance of the same to the United States for the purposes aforesaid; whereupon it shall be the duty of said judge, and he is hereby authorized and empowered, after reasonable notice given to said owner or owners, their legal representatives or guardians, to hear and finally determine the value of the land or lands in question by a competent jury, under oath, to be summoned by the sheriff or the proper officer of said court, for that purpose, or by a committee of three persons, such as shall be agreed upon and appointed by the parties aforesaid, such committee, if

agreed on and appointed as aforesaid, to be duly sworn faithfully and impartially to value the land or lands last aforesaid, and the value thereof being thus ascertained to the satisfaction of said judge after survey thereof, duly made under the direction of himself, or by consent of said parties, and after such other proceedings in the premises as he shall deem right and proper he shall order and decree the same to be conveyed in due form to the United States, to be held, owned and possessed by them for the purposes aforesaid and none other; *Provided*, That the amount of such valuation with the reasonable costs of such owner or owners attending such proceedings shall be paid to him, her or them, or into said court for his, her or their use before execution or record of such conveyance, and; provided moreover, that if it shall appear to said judge, upon objection made by such owner or owners, their representatives or guardians, that the quantity of any given tract, parcel or extent of land sought to be purchased as aforesaid is greater than reasonable, he may, in his discretion, refer the matter of such objection to the Governor of this State for his determination, and, *Provided further*, That if the Executive Officer, or other authorized agent employed by the United States to make such purchase as contemplated in this act, shall desire to purchase any land or lands owned by private party or parties and not situated within the limits of any county in this State, then, in such case, upon application being made by the said officer or agent of the United States, to the Governor of this State, it shall be the duty of the Governor to designate the district judge have [having] jurisdiction over the organized county nearest to the land or lands where purchase is thus sought; whereupon, it shall be lawful for the said officer or agent of the United States to institute proceedings before the said judge in the county nearest to the said land or lands for the conveyance of the same to the United States for the purposes aforesaid, and it shall be the duty of the said judge, and he is hereby authorized and empowered to proceed in all things necessary to the correct valuation and to the conveyance to the United States, of said land or lands as if the same were situated within the county wherein proceedings had been instituted therefor, and the said judge shall order and decree the conveyance in due form to the United States, of such land or lands to be held, owned and possessed by the United States for the purposes aforesaid and none other." (Act approved November 28, 1871, amending sec. 2, of Act of December 19, 1849.)

FORT BLISS.

This reservation contains an area of 1,265.7 acres, and is situated on the Kansas City, El Paso and Mexican Railroad, about 5 miles northeast of the City of El Paso, in El Paso County.

The lands were acquired for a military post to be known as Fort Bliss, under authority of an Act of Congress approved March 1, 1890. The title is as follows:

1. Letter Patent from the State of Texas to the United States as assignee of B. D. Russell, dated August 13, 1890, conveying 640 acres of land. Recorded in Patent Record Vol. 25, page 129, of the deed records of El Paso County.

2. Quit-Claim Deed from Dr. Edward Alexander, dated August 30, 1890, conveying land by metes and bounds. Recorded in Book 24, page 292, of same records.

3. Deed from W. J. Glenn, et al., dated September 1, 1890, conveying 180.50 acres of land. Recorded in Book No. 19, page 285, of same records.

4. Deed from Charles R. Morehead, et al., dated September 19, 1890, conveying 179.50 acres of land. Recorded in Book 19, page 286, of same records.

5. Deed from W. J. Glenn, dated February 24, 1891, conveying 30.2 acres of land. Recorded in Book 19, page 354, of same records.

6. Deed from Richard L. Mayer, dated March 10, 1891, conveying 30.2 acres of land. Recorded in Book 19, page 355, of same records.

7. Deed from B. H. Davis, et al., dated May 9, 1891, conveying 236 acres of land. Recorded in Book 19, page 356, of same records.

8. Deed from the Governor of the State of Texas, ceding jurisdiction over the 1,266.2 acres, in accordance with the constitution and foregoing cited laws of the State of Texas. Deed dated April 12, 1892, and recorded in Vol. 33, page 555, etc., of same records.

See also General Acts of Cession.

Easement: By Act of Congress, approved June 10, 1896, the El Paso and Northeastern Railroad Company was granted a right of way 100 feet wide across the reservation. Route approved by Secretary of War, November 20, 1897.

Revocable Licenses: License, September 6, 1904, to Wing Wong to occupy for the purpose of a residence, and in which to conduct a laundry, an adobe house, heretofore occupied by him under permission of the post commander.

License, August 28, 1905, to International Water Company of El Paso, Tex., to lay and maintain a 16-inch water pipe line along and within right of way of the El Paso and Northeastern Railroad Company, for the purpose of supplying the City of El Paso with water.

FORT BROWN.

This reservation contains an area of 358.8 acres, and is situated on the left bank of the Rio Grande, 22 miles from its mouth direct, or by river about 65 miles. It is immediately adjacent to the City of Brownsville, in Cameron County, and opposite to the City of Matamoras, Mexico.

This point was first occupied as a military camp March 21, 1846, and a fort erected which was named Fort Taylor. May 17, 1846, the name was changed to Fort Brown in memory of Maj. Jacob Brown, who fell in its defense on the 6th of said month during the bombardment of the place by the Mexicans under General Arista. The post was occupied almost continuously until March 20, 1861, when it was abandoned by the United States Troops, after the surrender of General Twiggs, and immediate possession thereof was taken by the State of Texas. The Confederates destroyed the works, burned the buildings, and abandoned the fort November 6, 1863. The United States reoccupied the site in the summer of 1865 and continued in occupancy until the temporary quarters which had been erected were destroyed by a severe hurricane in the spring of 1867. The troops were quartered in the town of Brownsville during the years 1868 and 1869 while new barracks were being erected, since which time the occupation of the post has been continuous. The reservation was formerly

a part of what was known as the "Espiritu Santo Grant," made by the Spanish Government in 1781 to one Don Blas Maria de la Garza, who, dying in 1802, by his will devised a one-fifth interest, which includes the reservation, to his niece, Maria Josefa Cavazos, whose title was confirmed by the United States Supreme Court at its October term, 1879, in the case of the City of Brownsville *v.* Cavazos. (See 100 U. S. Sup. Ct. Rep., 138.)

On November 7, 1853, the Secretary of War commenced proceedings in the District Court in and for the County of Cameron, at Brownsville, under the Statutes of Texas, authorizing the condemnation of private property for the use of the United States, to obtain the title to this Fort Brown reservation. The City of Brownsville and the Cavazos family were made parties to the proceedings. The cause was entitled "In the matter of the application of Stewart Van Vliet on the part of the United States, for the assessment of the value of the lands within the limits of the Garrison of Fort Brown," and the cause submitted on the 29th day November, 1853, to a jury, who returned an assessment of $50,000. (Verdict recorded in Book A, p. 50, of Minutes of the District Court of Cameron County, Tex.) This matter remained in abeyance until the 20th day of February, 1879, when proceedings were resumed in same Court, the cause being entitled "in the matter of the condemnation by the United States, on the application by the War Department thereof, by Stewart Van Vliet, their agent, of certain lands in said county, known as the military reservation of Fort Brown, claimed by Pedro G. Cavazos under the last will, etc., of Maria Josefa Cavazos, deceased, and also claimed by the City of Brownsville," No. 1232. Order and Judgment, that upon payment of said $50,000, together with interest from said 29th day of November, 1853, into the First National Bank of Galveston, to be disposed of as hereinafter provided, the whole right, title, and interest of the City of Brownsville and of the said Maria Josefa Cavazos, deceased, and also of said Pedro G. Cavazos, her successor in interest in and to said lands and premises shall vest forever in the United States of America, etc. By a subsequent order, made and entered on the same day, (February 20, 1879), Pedro G. Cavazos was substituted as claimant and owner of said lands and premises in place of Maria Josefa Cavazos, who died November 18, 1878, testate, devising by her last will said lands and premises to her son, said Pedro G. Cavazos. (See record in Clerk's Office of said Court.) By said will Pedro G. Cavazos was named and afterwards appointed Executor of his mother's estate, but failing to file a bond required of him by the court, he was removed and Thomas Carson was appointed as General Administrator with the will annexed, to whose control the entire interest and estate of Maria Josefa Cavazos was transferred. After wards, to wit, July 4, 1887, an action was commenced in the Circuit Court of the United States for the Western District of Texas, at Brownsville, entitled "No. 248, Heirs of Miguel Salinas *v.* William L. Kellogg et al.," and on the 14th day of said month a trial was had before a jury, who returned a verdict upon which judgment was rendered to the effect that as to all the persons before the Court as parties plaintiff or defendant, including the United States, represented by said Kellogg, they take nothing by their suit or pleas therein excepting James Stillman, and Thomas Carson, Administrator, etc., of the estate of Maria Josefa Cavazos, who take the property and premises

known as Fort Brown, describing it, in equal moieties, James Stillman in his own right one moiety and Thomas Carson, as such Administrator, etc., the other moiety. It was also adjudged that the United States had been in actual and exclusive possession of said property and premises as a military reservation for many years. It was therefore ordered that all the right, title, and interest in and to the premises and property be divested from and out of all the parties to said cause, including the United States, and vested in the said James Stillman and Thomas Carson, as Administrator, etc., of Maria Josefa Cavazos, in equal moities, and that said Stillman and Carson, Administrator, etc., are also entitled to have and recover all rents, etc., for use and occupation of said premises from the year 1846.

By an Act of Congress, approved March 3, 1885, the following provision was made for acquiring title to said reservation:

"To enable the Secretary of War to acquire good and valid title for the United States to the Fort Brown Reservation, Texas; and to pay and extinguish all claims for the use and occupancy of said reservation by the United States, the sum of One hundred and sixty thousand dollars: *Provided*, That no part of this sum shall be paid until a complete title is vested in the United States; and the full amount of the price, including rent shall be paid directly to the owners of the property." (See U. S. Stats. at Large, Vol. 23, p. 507.)

Under the foregoing act of Congress, title was procured, the evidence of which is as follows:

1. Deed from James Stillman, and Thomas Carson, the latter as Administrator with the will annexed, of the estate of Maria Josefa Cavazos, deceased, dated October 14, 1887, conveying the 358.8 acres known as the "Fort Brown Property." Recorded in Vol. J, page 382, etc., of the deed records of Cameron County, in Brownsville.

2. Quit-Claim Deed from S. Josephine Allen by Thomas Carson her attorney in fact, dated October 24, 1887, conveying by way of release all interest in above premises. Recorded in Vol. J, page 380, etc., of same records. Power of Attorney to Thomas Carson recorded in Vol. A, page 237, etc., of same records.

3. Deed from Frances J. Hale, et al., Heirs of William G. Hale, deceased, dated November 15, 1887, conveying all interest in above premises. Recorded in Vol. J, page 384, etc., of same records.

4. Quit-Claim Deed from Thomas Carson, dated December 12, 1887, conveying all interest in "Fort Brown Property." Recorded in Vol. J, page 387, etc., of same records.

5. Deed of Release from James Stillman and Thomas Carson, the latter as Administrator, with the will annexed, of Maria Josefa Cavazos, deceased, by John A. Garver, their Attorney in fact, dated March 25, 1895, releasing all demands, etc. Recorded in Vol. J, page 388, etc., of same records. Power of Attorney from James Stillman to John A. Garver recorded in Vol. A, page 241, etc.; the Power of Attorney with power of substitution from Thomas Carson, Administrator, etc., to James Stillman, and Power of Attorney from James Stillman to John A. Garver as substitute recorded in Vol. A, page 238, etc., of same records.

6. Quit-Claim Deed from Kate M. Combe and husband. et al., dated April 17, 1886, conveying all interest in "Fort Brown Military Reservation."

7. Quit-Claim Deed from Charles S. Dana and wife, dated May 1, 1886, conveying all interest in "The Military Reservation of Fort Brown."

For jurisdiction see acts of the State Legislature under the title of "General Acts of Cession."

8. Deed from the Governor of Texas to the United States, ceding jurisdiction over the reservation in accordance with the Constitution and foregoing-cited Laws of the State of Texas. Deed dated June 24, 1895, and recorded in Vol. J, page 427, etc., of same records.

BROWNSVILLE NATIONAL CEMETERY.

This reservation contains an area of 25.50 acres (about six acres inclosed), right of way, etc., and is situated about 1 mile from Brownsville, in Cameron County. The title is as follows:

Decree of condemnation for said tract in the matter of the application of the United States for an appraisement, etc. Rendered March 22, 1872, in the United States District Court for the Eastern District of Texas, and recorded on pages 150 and 151 of the minute book of said proceedings in the Clerk's Office of said Court at Brownsville.

For consent to condemnation and provision for ceding jurisdiction, see Acts of the State Legislature under the title "General Acts of Cession."

FORT CLARK.

This reservation contains an area of 3,963.2 acres, according to resurvey of the same in April, 1884, and is situated on the south bank of and about 400 yards from the head of Las Moras Creek, opposite Brackettville, in Kinney County. Post first occupied June 20, 1852. The title is as follows:

Purchase was made under authority of an Act of Congress approved April 16, 1880.

Deed from Mary A. Maverick, dated December 11, 1883, conveying the reservation by metes and bounds. Recorded in Vol. A, No. 5, page 25, of the deed records of Kinney County. (This property was formerly held by lease from Samuel Maverick to the United States.)

For consent to the purchase and provision for cession of jurisdiction, see Acts of the State Legislature under the title of "General Acts of Cession."

Revocable License, April 21, 1906, to Lone Star Telephone Co. for private telephone system.

FORT CROCKETT.

This reservation contains an area of about 124 acres and is situated in the City of Galveston and County of Galveston. The title is as follows:

1. Deed from The Galveston Land and Improvement Company, dated January 18, 1897, conveying Blocks Numbered 213 to 216, inclusive; 233 to 240, inclusive, and 257 to 260, inclusive; the same forming, with the streets and avenues which are also conveyed, Out Lots 205, 206, 230 and 231. Recorded in Book 141, pages 431 to 436, of the deed records of Galveston County, at Galveston.

2. Ratification by The Galveston Company, etc., of sale and conveyance of Lots, Streets, Avenues, etc., dated January 18, 1897, as per No. 1, supra. Recorded in Book 157, page 402, etc., of same records.

3. Quit Claim Deed from the Galveston City Company, dated February 15, 1897, conveying all interest in the streets and avenues that cross and traverse Out Lots 205, 206, 230 and 231 (described in Deed No. 1, supra); also a strip of land between Out Lots 230 and 231 and the Gulf of Mexico. Recorded in Book 141, page 429, etc., of same records.

4. Ordinance of City Council of Galveston, ceding streets, avenues, etc., as described in Deed No. 1, supra. Original act part of the records in the City Clerk's Office at Galveston.

5. By an Act of the State Legislature passed February 15, 1897, which became a law March 3, 1897, without the Governor's signature, the action of the City Council of Galveston in ceding to the United States the streets, alleys, and other public highways intervening between the blocks and lots purchased by the United States for fortification purposes was confirmed and ratified. (See Laws of Texas, 1897, p. 13.)

Deed from the Governor of Texas, ceding jurisdiction over the reservation, in accordance with the Constitution and foregoing-cited laws of the State of Texas. Deed dated September 21, 1897.

6. Ordinance of City Council of Galveston passed April 14, 1900, granting to the United States its consent to acquire lands in the City of Galveston and to fence the same.

7. Deed from The Galveston Land and Improvement Company, dated April 17, 1900, conveying Blocks 217 to 220 inclusive, 229 to 232 inclusive, 241 to 244 inclusive, 253 to 256 inclusive, 261, 262, 271 and 272; also Out Lot 253, and another tract by metes and bounds, and certain streets and alleys, containing in all 60 acres more or less. Recorded in Book 178, page 210, etc., of same records.

8. Quit-Claim Deed from The Galveston City Company, dated April 28, 1900, conveying Out Lots 203, 229, 253 and 254 and the streets that traverse them; also the strip of land lying between 253, 254 and the waters of the Gulf of Mexico. Recorded in Book 176, page 610 etc., of same records.

For jurisdiction see General Acts of Cession.

9. Deed from D. B. Henderson, dated October 20, 1904, conveying land bounded on the north by "Avenue U," on the east by 39th Street, on the south by the Gulf of Mexico, and on the west by 45th Street. Recorded in Book 204, pages 224–5, of same records.

10. Deed from the City of Galveston, dated January 24, 1905, conveying all right, title and interest of the city to the streets, avenues and alleys included within premises conveyed by D. B. Henderson, together with Ordinance of Board of Commissioners, City of Galveston, closing the same. Recorded in Book 204, page 321; and Ordinance in Book 205, page 102, of same records.

Jurisdiction over the lands acquired under the preceding deeds (Nos. 9 and 10) was ceded by Governor's Deed, dated November 4, 1905; recorded in Book 206, pages 540–541, of same records.

11. Quit-Claim deed from the City of Galveston, dated April 5, 1905, conveying title of city to the west half of west half (except Lots

12 and 13) of Out-Lot 207, NW. and SW. Recorded in Book 204, page 478, of same records.

12. Deed from Charles Nolan, dated December 5, 1905, conveying part of Lot 8, of the southeast block of Out Lot 183, containing 27.5 square feet. Recorded in Book 215, page 100, of same records.

13. Deed of D. B. Henderson, dated January 30, 1906, conveying part of Out Lot 184, containing 1.959 acres, more or less. Recorded in Book 215, page 101, of same records.

14. Deed from the City of Galveston, dated April 30, 1906, releasing interests in streets, etc., and closing same. Recorded in Book 212, page 582, of same records.

15. Release by City of Galveston, dated April 16, 1906, of judgment lien on southeast quarter of Out Lot 184. Recorded in Book 211, page 547, of same records.

Jurisdiction over the lands acquired under the preceding deeds (Nos. 12 to 15, inclusive) was ceded by Governor's Deed, dated May 1, 1906. Recorded in Book 212, page 584, of same records.

See, also, General Acts of Cession.

EAGLE PASS.

This reservation contains an area of 155.29 acres, and is situated in the town of Eagle Pass, in Maverick County. The title is as follows:

1. Deed from William S. Smith, Executor, etc., dated July 9, 1892, conveying 62.94 acres. Recorded in Vol. W, No. 2, page 413, etc., of the deed records of Maverick County.

2. Deed from William S. Smith, Executor, etc., dated July 9, 1892, conveying 92.35 acres. Recorded in Vol. W, No. 2, page 415, etc., of same records.

3. Decree of the Circuit Court of the United States for the Western District of Texas, in the case of Maggie Cassidy et al, *v.* William S. Smith, Executor, etc., No. 73, confirming and ratifying the said conveyances of said Executor, etc., to the United States. Rendered July 2, 1893, and filed with the record in said cause in the Clerk's Office of said Court at San Antonio.

4. Amended decree of said Court, between same parties, reaffirming and ratifying said conveyances. Rendered November 16, 1893, and filed with the record in said cause in the Clerk's Office of said Court at San Antonio.

For consent to purchase, provisions for condemnation, and cession of jurisdiction, see Acts of the State Legislature under the title "Fort Bliss (New)."

Deed from the Governor of Texas, ceding jurisdiction over the reservation, in accordance with the Constitution and foregoing cited Laws of the State of Texas. Recorded in Vol. W, No. 2, page 473, etc., of the deed records of Maverick County.

FORT McINTOSH.

This reservation contains an area of 208 acres, and is situated on the Rio Grande, 1 mile from the City of Laredo, in Webb County. The title is as follows:

Deed from the City of Laredo, dated May 29, 1875, conveying the above tract of land. Recorded in Book D, Vol. 5, page 358, of the deed records of Webb County.

For consent to purchase and provision for cession of jurisdiction, see acts of the State Legislature under the title "General Acts of Cession."

Revocable Licenses: Licenses, August 17, 1881, and July 25, 1890, by the Department Commander to the International and Great Northern and Mexican National Railroad Companies to construct a spur track on the reservation.

PELICAN SPIT.

This reservation is situated about 1,900 yards east of Pelican Island, on Pelican Spit, in Galveston Bay, 2½ miles from the City of Galveston, in Galveston County. The title is as follows:

Letter patent from the State of Texas, dated May 25, 1859, conveying about 79 acres of land, the above tract by metes and bounds. Recorded in Vol. 19 of the record of patents in the office of the Commissioner of the General Land Office, at Austin.

Deed from the Governor of the State of Texas, dated July 14, 1859, ceding jurisdiction. (See acts of the State Legislature approved December 19, 1849, and February 12, 1854, under the title "General Acts of Cession.")

FORT RINGGOLD.

This reservation contains an area of 350 acres, and is situated on the Rio Grande, 23 miles from San Miguel, on the Mexican National Railroad, in Starr County. The title is as follows:

Decree of condemnation for the above 350 acres of land in Cause No. 256, The United States, by Nelson B. Sweitzer, *v.* Josefa Garza de Salinas et al., in the District Court of Starr County. Rendered March 30, 1878, and recorded in Book B, pages 421 to 423, of the minutes of said Court. Amended March Term, 1879, and entered in lieu of original decree and recorded on page 464, etc., of the minutes of said Court.

For provision for acquiring property by condemnation, etc., see Acts of the State Legislature under the title "General Acts of Cession."

SAN ANTONIO ARSENAL.

This reservation contains about 19.65 acres, and is situated in the City of San Antonio, in Bexar County. The title is as follows:

1. Deed from Gregory P. Divine, dated March 8, 1859, conveying 8.17 acres of land. Recorded in Book R, No. 1, page 198, etc., of the deed records of Bexar County.

2. Deed from P. H. Bell and wife, dated May 2, 1859, conveying 7.75 acres of land. Recorded in Book R, No. 1, page 197, etc., of same records.

3. Deed from Adele R. T. Beauregard, et al., dated July 11, 1881, conveying about 3.73 acres by metes and bounds. Recorded in Vol. 20, page 188, etc., of same records.

For jurisdiction, etc., see Act of the State Legislature approved December 19, 1849, and Act amendatory thereof, approved February 13, 1854, under the title "General Acts of Cession."

Deed from Governor of Texas, ceded jurisdiction over tracts 1 and 2, supra, in accordance with the Constitution and foregoing cited Laws of the State of Texas. Deed dated September 22, 1859.

Revocable License, May 7, 1895, to the City of San Antonio, to construct and maintain a sewer.

SAN ANTONIO NATIONAL CEMETERY.

This reservation contains an area of about 3.63 acres, and is situated at San Antonio, in Bexar County. The title is as follows:

1. Deed from the City of San Antonio, dated November 15, 1867, conveying 1.09 acres of land.

2. Deed from the City of San Antonio, dated April 14, 1871, conveying 1.89 acres of land, in lieu of deed marked No. 1, supra, and unrecorded. Recorded in Book W 1, page 155, of the deed records of Bexar County. Duplicate deed authorized at a regular meeting of the City Council, April 11, 1871, and recorded in Book C, page 17, of the minutes of said Council.

3. Deed from the City of San Antonio, dated April 10, 1884, conveying about 1.75 acres of land. Recorded in Vol. 33, page 442, of the deed records of Bexar County. Sale authorized at a regular meeting of the City Council, February 19, 1884, and recorded in the minutes of said Council in the City Clerk's Office.

Paragraph 35 of Section 1 of Article 3 of an Act of the State Legislature entitled "An Act to incorporate the City of San Antonio," approved June 17, 1856, authorizes and empowers the City to sell any of its property, real or personal, lying within or beyond the limits of the City.

For jurisdiction, etc., see acts of the State Legislature, under the title "General Acts of Cession."

Deed from the Governor of Texas, ceding jurisdiction over the lands described in deed marked No. 3, supra, in accordance with the Constitution and the foregoing cited Laws of the State of Texas. Recorded in Vol. 38, page 278, etc., of the deed records of Bexar County.

FORT SAN JACINTO.

This reservation contains an area of about 419 acres, and is situated on the east end of Galveston Island, in Galveston County. The title is as follows:

Reserved for public purposes by an act of the Republic of Texas, dated December 9, 1836, and under the Joint Resolution of Congress passed March 1, 1845 (Articles of Annexation), was ceded to the United States.

The following Act empowered the Governor to cede the reservation.

"SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That the Governor thereof be, and hereby is, authorized and fully empowered to cede, transfer and deliver over to the United States or any agent or agents by them appointed, by such instrument in writing, or other means as he may deem proper and necessary, all the public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms and armaments, and all other

property and means pertaining to the public defence, belonging to the Republic, now the State, of Texas." (Approved March 25, 1846.)

See also General Acts of Cession.

Revocable License, March 27, 1905, to Navy Department for wireless telegraph station.

FORT SAM HOUSTON.

This reservation contains an area of about 574.93 acres, including the drill and camping site mentioned in No. 18, infra, and is situated near the City of San Antonia, in Bexar County. (See G. O. No. 17, W. D., January 23, 1904, announcing addition acquired in 1903.) The title is as follows:

1. Deed of Donation from the City of San Antonio, dated May 6, 1870, conveying about 40 acres of land. Recorded in Book V, No. 1, page 433, etc., of the deed records of Bexar County.

2. Deed of Donation from the City of San Antonio, dated August 11, 1871, conveying 43 acres of land. Recorded in Book W, No. 1, page 324, etc., of same records.

3. Deed of Donation from the City of San Antonio, dated June 16, 1875, conveying 9.07 acres of land. Recorded in Vol. 2, page 467, etc., of same records.

4. Deed of Donation from the City of San Antonio, dated June 30, 1878, conveying by metes and bounds, according to a resurvey made by the United States Government, the lands described in the foregoing deeds of donation marked Nos. 1, 2 and 3, supra, aggregating 92.79 acres. Recorded in Vol. No. 11, page 150, etc., of same records.

5. Deed from William W. Dykman, dated September 11, 1882, conveying about 0.17 acre. Recorded in Vol. 27, page 370, etc., of same records.

6. Deed from E. H. Cunningham and wife, dated September 25, 1882, conveying about 42 acres of land. Recorded in Vol. 27, page 371, etc., of same records.

7. Deed from William Trout and wife, dated October 10, 1882, conveying about 1 acre. Recorded in Vol. 27, page 366, etc., of same records.

8. Deed from Christian Mueller and wife, dated October 11, 1882, conveying about 0.17 acre. Recorded in Vol. 27, page 368, etc., of same records.

9. Deed from Jennie L. Smith and husband, dated October 11, 1882, conveying about 0.17 acre. Recorded in Vol. 27, page 364, etc., of same records.

10. Deed from John McMahon, dated November 13, 1882, conveying about 0.21 acre. Recorded in Vol. 27, page 367, etc., of same records.

11. Deed from James H. Bigger, dated November 2, 1882, releasing claim pursuant to decree of Probate Court of Bexar County to lands covered by deeds 5 to 10, supra. Recorded in Vol. 25, pages 172–175, of same records.

12. Deed from Edward Braden and wife, dated December 2, 1882, conveying about 4.88 acres.

13. Deed from John Moreau and wife, dated November 2, 1882, conveying about 0.18 acre.

14. Deed from E. H. Cunningham and wife, dated December 5, 1882, conveying about 1.78 acres.

15. Deed from H. B. Adams and E. D. L. Wickes, dated December 8, 1882, conveying about 1.024 acres.

16. Decree of Condemnation in Cause No. 1183, The United States of America *v.* Unknown Owners of 19.29 acres of land (including lands conveyed by above deeds Nos. 12 to 15, inter alia), in the District Court of Bexar County. Rendered and made final May 25, 1883, and filed with the record in the cause in the Clerk's Office of said Court. Recorded in Vol. 27, page 579, etc., of same records.

17. Deed from Caroline Kampmann, dated August 26, 1886, conveying 310 acres. Recorded in Vol. 53, page 544, etc., of same records. (This tract is about 3 miles north of the post proper.)

18. Deed from Charles John Cunningham, dated August 7, 1903, conveying 40.08 acres. Recorded in Book 223, page 143, of same records.

19. Deed from Ed H. Cunningham and wife, dated August 31, 1903, conveying 49.23 acres, more or less. Recorded in Book 223, page 144, of same records.

20. Deed from Dan Sullivan, dated October 27, 1903, conveying 19.81 acres. Recorded in Book 223, page 142, of same records.

(By an Act of Congress, approved January 29, 1887, a strip of land known as " Pine Street " was released to the City of San Antonio.)

Paragraph 35 of Section 1 of Article 3 of an Act of the State Legislature entitled "An Act to incorporate the city of Antonio," approved June 17, 1856, authorizes and empowers the City to sell any of its property, real or personal, lying within or beyond the limits of the City.

For consent to purchase, condemnation proceedings, and cession of jurisdiction, see Acts of the State Legislature under the title " General Acts of Cession."

Under the Act above cited, the following were executed:

1. Deed from the Governor of Texas, ceding jurisdiction over 40 acres, more or less, in accordance with the Constitution and the foregoing cited Laws of the State of Texas. Dated June 23, 1870.

2. Deed from same to same, dated June 4, 1883, ceding jurisdiction over after-acquired lands, in accordance with the Constitution and Laws of Texas. Recorded in Vol. 27, page 310, etc., of same records.

3. Deed from same to same, dated August 17, 1883, ceding jurisdiction over after-acquired lands, in accordance with the Constitution and Laws of Texas. Recorded in Vol. 31, page 143, etc., of same records.

4. Deed from same to same, dated April 19, 1887, ceding jurisdiction over 310 acres, in accordance with the Constitution and Laws of Texas. Recorded in Vol. 54, pages 54 and 55, of same records.

5. Deed from same to same, dated January 26, 1904, ceding jurisdiction over 109.12 acres, in accordance with the Constitution and Laws of Texas. Recorded in Executive Record, Vol. 293, page 618, etc.

Revocable Licenses: License, February 27, 1897, to the Southwestern Telegraph and Telephone Company to place four one-inch iron guy rods on the reservation.

License, August 1, 1905, to George W. Brackenridge and others to erect and maintain buildings on the reservation "for the promotion of the social, physical, intellectual and moral welfare of the garrison."

License, September 11, 1906, to Mr. Clemens Koehler to occupy as a residence for himself and family, the old range house situated on The Target Range, about three miles north of Fort Sam Houston.

FORT TRAVIS.

This reservation contains 96.2 acres, and is situated at Bolivar Point in the City of Galveston. The title is as follows:

1. Deed from Charles C. Adams and Martha J. Adams, dated February 21, 1898, conveying Blocks 124, 125, 148, 149, 150, 172, 173, 174, 175, 197, 198, 199, 200, 222, 223, 224, 225, 247, 248, 249, 250, 272A, 273, 274, 275; portions of Water Lots 162 and 163, and Water Lots 164 to 185 inclusive. Recorded in Book 155, page 205, etc., of the deed records of Galveston County.

2. Deed from The Commissioner's Court, County of Galveston, dated February 28, 1898, conveying the right to close to the public use all streets, alleys, lots and highways in the above tract. Deed recorded in Book 155, page 231, etc., of same records.

3. Deed from the Governor of Texas, dated June 8, 1898, ceding jurisdiction over above tract.

See also General Acts of Cession.

UTAH.

GENERAL ACT OF CESSION.

"*Be it enacted, etc.,*

"SECTION 1. Jurisdiction is hereby ceded to the United States in, to and over any and all lands or territory within this State which has been or may be hereafter acquired by the United States for the purpose of sites for public buildings, of every kind whatever, authorized by act of Congress; the State, however, reserving the authority to execute its process, both criminal and civil, within such territory.

"SEC. 2. The Governor is hereby authorized and empowered to execute all proper conveyances in the cession herein granted upon request of the said United States, or proper officers thereof, whenever any land shall have been acquired for such purpose.

"SEC. 3. This act shall take effect upon approval."

(Approved February 20, 1903. Laws of Utah, 1903, p. 9, ch. 14.)

FORT DOUGLAS.

This reservation contains an area of about 9,534 acres, and adjoins Salt Lake City, in Salt Lake County. The title is as follows:

1. A reservation of 4 square miles, taken from the public domain, was made by Executive Order of September 3, 1867; but the original tract of 2,560 acres was reduced to about 2,230 acres under the following Acts of Congress:

A. Act of May 16, 1874, granting 20 acres to Salt Lake City for cemetery purposes;

B. Act of January 21, 1885, restoring 151.81 acres, claimed by Charles Popper, to the public domain;

C. Act of July 23, 1894, granting a tract of 60 acres for a site and campus for the University of Utah;

D. Act of May 16, 1906 (34 Stat. L., 195), making an additional grant of 32 acres to the University of Utah; reserving the perpetual right for existing sewer or a "new sewer system" across the premises;

E. Act of June 29, 1906 (34 Stat. L., 612), authorizing conveyance, in exchange for other lands and easements, and subject to certain reservations, to Le Grand Young of 42.3 acres, lying between the University lands and Popperton Place; and of right of way, 100 feet wide, containing about 24 acres, along the south side of reservation. Conveyance made by deed of the Secretary of War, dated October 8, 1906.

2. Deed from Le Grand Young, trustee, etc., dated April 23, 1888, conveying about 1,905 acres therein described, to protect and preserve the water supply of Fort Douglas. Recorded in Book 2 N, page 343, etc., of the deed records of Salt Lake County. The foregoing tract was purchased under authority of an Act of Congress, approved March 3, 1887; and by the same Act about 1,920 acres of other lands were reserved for the same purpose, making the addition by that Act, 3,825 acres.

3. The reservation was again enlarged by Executive Order dated March 13, 1890, adding 2,520 acres thereto, for military purposes, so much of the public domain.

4. An addition of about 209 acres taken from the public domain was made by Executive Order dated June 8, 1896.

Deed from the Governor of the State, dated February 24, 1904, ceding jurisdiction over the above tract, in accordance with par. 2, of the act passed February 20, 1903, for which see General Act of Cession.

A tract of land, being the E. ½ of NW. ¼, and the N. ½ of SW. ¼ of Sec. 24, T. 1 N., R. 1 E., of Salt Lake meridian, aggregating 160 acres, was acquired by the following conveyances, for the purpose of protecting the water supply. (This tract of land is included in those reserved by Act of Congress of March 3, 1887, *ante.*)

5. Deed from Peter Van Houten and wife, dated January 8, 1904, conveying 80 acres. Recorded in Book 6 W, page 222, of same records.

6. Deed from James Doull, dated March 14, 1904, conveying 80 acres. Recorded in Book 6 W, page 222, of same records.

7. Deed from Le Grand Young and wife, dated July 14, 1906, conveying about 750 acres, and releasing easements reserved by deed of April 23, 1888, and also those granted to him by Act of March 3, 1887 (No. 2 *ante.*) Recorded in Book "7 P" page 134, of same records.

Easements: Pursuant to Act of Congress, approved March 3, 1887, the Secretary of War, May 31, 1888, approved the selection of a right of way 100 feet wide across the reservation, by the Salt Lake and Fort Douglas Railway Company.

Pursuant to Act of Congress, approved March 3, 1887, the Secretary of War, October 12, 1888, granted permission to the Salt Lake

and Fort Douglas Railway Company to remove government stable to another location and to build a station on its site.

Revocable Licenses: License, September 10, 1890, to The Salt Lake City Railroad Company to enter upon the reservation and construct, maintain and use thereon an electric railway.

License, February 28, 1893, to The Popperton Place and Fort Douglas Rapid Transit Company to enter upon reservation and construct, maintain and use thereon a line of electric railway.

License, March 3, 1897, to the Salt Lake Pressed Brick Company to extract red clay from reservation for the purpose of manufacturing fire brick.

License, March 1, 1905, to Geo. T. Wallace, of Salt Lake, Utah, to care for and improve a strip of land, approximately 1,000 feet square.

License, May 11, 1905, to The Utah Independent Telephone Company, for telephone line and exchange.

License, September 25, 1905, to The Western Union Telegraph Company, for telegraph line.

License, November 7, 1905, to The Rocky Mountain Bell Telephone Company, for telephone line.

License, January 6, 1906, to University of Utah, for 18-inch water main.

FORT DUCHESNE.

This reservation contains an area of 6 square miles, or 3,840 acres, and is situated on the right bank of the Uintah River about 8 miles above its confluence with the Duchesne River, within the limits of the Uintah Indian Reservation, in Uintah County. By Executive Order dated September 1, 1887, the above tract embraced within the limits of the Uintah Indian Reservation, created by Executive Order dated October 3, 1861, and Act of Congress approved May 5, 1864, was proclaimed a military reservation for the post of Fort Duchesne. No cession as a military reservation, but as the Indian title has not been extinguished (such as it is), exclusive jurisdiction is ceded by Section 2 of Article 3 of the Constitution of the State of Utah, which provides as follows:

"The people inhabiting this State do affirm and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries hereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States." * * *

Revocable Licenses: License, July 28, 1904, to Yee Sing to conduct upon the reservation the laundry heretofore conducted by him under permission of the post commander.

License, July 28, 1904, to William B. Ten Broeck, to conduct upon the reservation a small livery stable heretofore conducted by him under permission of the post commander.

License, July 28, 1904, to Mrs. Curtis to conduct upon the reservation a small hotel, heretofore conducted by her under permission of the post commander.

License, November 27, 1905, to The Uintah Railway Company to occupy for office for "stage, telegraph and telephone line," such portion of the "Post Trader's" building as may be designated by the post commander.

License, December 7, 1905, to J. E. Horsley, for laundry.

License, April 3, 1906, to The Vernal and Fort DuChesne Telephone Company, for telephone system.

OGDEN OBSERVATORY.

This reservation contains an area of 2.57 acres, and is situated at Ogden, in Weber County. The title is as follows:

1. Deed from Myron W. Butler and wife, dated December 12, 1874, conveying the 2.57 acres above noted. Recorded in Book J, page 11, of the deed records of Weber County.

2. Deed from same, dated October 14, 1878, conveying same land. Recorded in Book L, page 431, of same records.

VERMONT.

GENERAL ACT OF CESSION.

"*It is hereby enacted, etc.*, SECTION 1. That pursuant to article one, section eight, clause seventeen of the Constitution of the United States, consent to purchase is hereby given, and exclusive jurisdiction ceded, to the United States, over and with respect to any lands within the limits of this State which shall be acquired by the United States for any of the purposes described in said clause of the Constitution of the United States; said jurisdiction to continue as long as the said lands are held and occupied by the United States for public purposes: Reserving, however, to this State a concurrent jurisdiction for the execution upon said lands of all process, civil or criminal, lawfully issued by the courts of the State, and not incompatible with the cession: *Provided* that an accurate map or plan, and description by metes and bounds of said lands, shall be filed in the town clerk's office of the town or towns in which the same are situate: and Provided that the State reserves the right to tax all property of any railroad or other corporation having a right of way or location over or upon the said lands.

"SEC. 2. This act shall take effect from its passage."

(Approved August 26, 1891. Laws of Vt., Special Session, 1891, p. 24.) See, also, Vermont Statutes, 1894, sec. 2207.

FORT ETHAN ALLEN.

This reservation contains an area of 790 acres, and is situated in Colchester and Essex Townships in Chittenden County, 2 miles from Essex Junction and 6 miles from the City of Burlington. The original purchase of 600 acres was made under authority of an act of Congress approved August 5, 1892. An addition of 190 acres was purchased under authority of an act of Congress approved August 18, 1894. The title is as follows:

1. Deed from Sidney H. Weston, dated December 8, 1892, conveying 50 acres of land. Recorded in Vol. 28, page 155, of the Land Records of Chittenden County, in the Clerk's Office at Colchester.

2. Deed from Sidney H. Weston, dated December 8, 1892, conveying 26.76 acres of land. Recorded in Vol. 28, page 154, of same records.

3. Deed from Sidney H. Weston, dated December 8, 1892, conveying 32.33 acres of land. Recorded in Vol. 28, page 153, of same records.

4. Deed from Sidney H. Weston, dated December 8, 1892, conveying 20 acres of land. Recorded in Vol. 28, page 152, of same records.

5. Deed from M. F. Kelley and wife, dated December 8, 1892, conveying 50 acres of land. Recorded in Vol. 28, page 156, of same records.

6. Deed from Madison L. Baldwin and wife, dated December 8, 1892, conveying 193 acres of land. Recorded in Vol. 28, page 159, of same records.

7. Deed from Edmund J. Moseley and wife, dated December 10, 1892, conveying 109 acres of land. Recorded in Vol. 28, page 160, of same records.

8. Deed from George W. Beckwith, Assignee, etc., dated December 15, 1892, conveying 14.47 acres of land. Recorded in Vol. 28, page 158, of same records.

9. Deed from Graton Brand and wife, dated December 21, 1892, conveying 43.45 acres of land. Recorded in Vol. 20, page 234, of same records.

10. Deed from Graton Brand and wife, dated December 21, 1892, conveying 60.99 acres of land. Recorded in Vol. 28, page 157, of same records.

11. Deed from Michael Kelly, dated December 12, 1892, conveying right of way for water and sewage. Recorded in Vol. 27, page 421, of same records.

12. Deed from Graton Brand, dated December 15, 1892, conveying right of way for water and sewage. Recorded in Vol. 20, page 235, of same records.

13. Deed from Graton Brand, dated April 20, 1893, conveying right of way for water and sewage. Recorded in Vol. 27, page 441, of same records.

14. Deed from Edmund J. Moseley and wife, dated September 14, 1893, conveying right of way as described. Recorded in Vol. 27, page 462, of same records.

15. Decree of Condemnation for 190 acres of land, in the cause of the United States *v.* Graton Brand, in the District Court of the United States for the District of Vermont. Rendered January 8, 1896, and filed with the record of said cause in the Clerk's Office of said Court at Brattleboro.

16. Deed from Graton Brand and wife, dated June 22, 1896, conveying the land above condemned (No. 15, supra). Recorded in Vol. 30, page 116, of said county records.

17. Resolution by the Town of Colchester granting the right to the United States to lay and forever maintain pipes and conduits for sewage in the highways of the town, and also discontinuing for the benefit of the United States a highway called "Dunbar Place." Passed November 15, 1892, and recorded in the office of the Town Clerk of the Town of Colchester.

Jurisdiction was ceded to the United States by an act of the General Assembly of the State, approved November 18, 1892, which act provides as follows:

"SECTION 1. The consent of the legislature of the State of Vermont is hereby given to the United States to acquire by purchase, gift or otherwise, such lands in the towns of Colchester and Essex in this State, as the United States may select for the establishment and maintenance of a Military Post; and exclusive jurisdiction is hereby ceded to the United States over and in respect to any and all lands in said towns of Colchester and Essex so acquired by the United States for such purpose; said jurisdiction to continue as long as said lands are held and occupied by the United States for public purposes; reserving however to this State a concurrent jurisdiction for the execution upon said lands of all process, civil or criminal, lawfully issued by the Courts of this State, and not incompatible with this cession." (Laws of Vermont, 1892, p. 392.)

See also General Act of Cession.

Easements: The title acquired under decree of condemnation, rendered January 8, 1896, and deed from Graton Brand and wife, *ante*, is subject to an easement in the public of a highway called the Essex and Winooski road, covering 7 acres, and to an easement for railway in the Central Vermont Railroad Company, covering 21.2 acres.

Revocable Licenses: License, June 15, 1893, to the Central Vermont Railroad Company to construct, maintain and use a side-track on the reservation. License, May 16, 1906, to The New England Telephone and Telegraph Co. for telephone system.

GREEN MOUNT CEMETERY.

(Soldiers' lot.)

This reservation is known as Lot No. 324, and is situated in "Green Mount Cemetery," in the city of Montpelier, in Washington County. The title is as follows:

Deed from the Town of Montpelier, dated March 28, 1866, conveying above-described lot.

PROSPECT HILL CEMETERY.

(Soldiers' lot in.)

This lot contains an area of 1,500 square feet, and is situated in Prospect Hill Cemetery, at Brattleboro, in Windham County. The title is as follows:

Deed from "The Prospect Hill Association," dated August 28, 1869, conveying above lot. Recorded in Book Y, page 520, of the deed records of Windham County, in the Office of the Town Clerk of Brattleboro.

VIRGINIA.

GENERAL ACT OF CESSION.

1. *Be it enacted, etc.*, That the consent of the State of Virginia is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in this State required for sites for custom houses,

courthouses, postoffices, arsenals, or other public buildings whatever, or for any other purposes of the government.

2. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby, ceded to the United States for all purposes except the service upon such sites of all civil and criminal process of the courts of this state; but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

3. The jurisdiction ceded shall not vest until the United States shall have acquired the title to said lands by purchase, condemnation, or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all State, County, and municipal taxation, assessment, or other charges which may be levied or imposed under the authority of this State. (Approved April 2, 1902. Acts of 1901–2, p. 565. See Virginia Code, 1904, sec. 15a.)

ALEXANDRIA NATIONAL CEMETERY.

This reservation, containing an area of 5.50 acres of land and right of way, is situated near Alexandria, in Fairfax County. The title is as follows:

1. Deed from John H. Baggett and wife, dated November 8, 1865, conveying 88,164 square feet of ground. Recorded in Liber S, No. 4, page 38, of the deed records of Fairfax County.

2. Deed from John H. Baggett and wife, dated November 24, 1870, conveying 8¼ square perches of land. Recorded in Liber S, No. 4, page 37, of same records.

3. Deed from John Baggett and wife, dated December 19, 1882, conveying 1.61 acres of land. Recorded in Liber B, No. 5, page 576, of same records.

4. Lease from the City of Alexandria, for 999 years, dated June 1, 1862, leasing 2 acres of land. Recorded in Liber S, No. 4, page 41, of same records.

5. Quit-Claim Deed from the City of Alexandria, dated May 6, 1875, conveying all interest in land described in above lease. Recorded in Liber S, No. 4, page 238, of same records.

6. Deed from the City of Alexandria, dated July 17, 1891, conveying a right of way 30 feet wide over certain streets, etc., to the cemetery. Recorded in Book K, No. 5, page 623, of same records.

Jurisdiction was ceded to the United States by an Act of the State Legislature, approved March 26, 1872, which provides as follows:

"1. Whereas, it is represented by William Myers, Captain and depot quartermaster, that he is instructed by the Quartermaster-General of the United States Army to apply to the general assembly for its consent to the purchase by the authorities of the United States of a tract of land in the County of Fairfax, near the City of Alexandria, now occupied as a national cemetery, and that according to his description of said land it is laid down and bounded as follows: [Here describes the lands.]

"*Be it enacted, etc.*, That the consent of this State is hereby given to the purchase of said land from the owners thereof, whether indi-

viduals or corporation, by the Government of the United States of America, or its authorized officers or agent, to be occupied and used as a National Military Cemetery, and for this purpose only. But this consent is given, subject to the following terms and conditions, to wit:

"First. That this State retains concurrent jurisdiction with the United States over the said place, so that Courts, magistrates and officers of this State may take such cognizance, execute such process and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"Second. That if the purposes of this grant should cease, or there should be for five years consecutively a failure on the part of the United States to use said place for said purpose, then the jurisdiction hereby ceded shall cease and determine and the same shall revert to the Commonwealth of Virginia.

"The said tract of land and the buildings that may be erected thereon for the purposes aforesaid, and any property of the United States for said purposes on said tracts, are hereby exempted from all taxes imposed by this State or by the constituted authorities of the County of Fairfax or the City of Alexandria; but this exemption shall continue only so long as the United States shall be and remain the owners of said Military Cemetery." (See code of Va., 1904, sec. 15.)

See also General Act of Cession.

AQUEDUCT BRIDGE.

(Southern Approach to.)

This reservation contains 5.2418 acres and is situated at the Virginia end of the bridge connecting Georgetown and Rosslyn. The land embraced is more particularly described as follows: Beginning at a point 100 feet east of the north-east corner of Canal Street and Chadwick avenue and running thence west along the north side of Canal Street four hundred and eighty feet, thence in a northerly direction at an angle of ninety degrees with Canal Street to the south bank of the Potomac River, thence in an easterly direction along the south bank of the Potomac River and abutment of the said Bridge to the intersection on the River bank of a line drawn from the point of beginning at an angle of ninety degrees with the north line of Canal Street aforesaid and from thence in a straight line to the place of beginning.

The tract was acquired pursuant to authority of Act of Congress, approved June 21, 1886. The title is as follows:

Deed from Alexandria Canal, Railroad and Bridge Company, dated December 18, 1886, conveying above tract (including the bridge, piers, etc.). Recorded in Liber G. No. 4, folio 436, of the land records of Alexandria County Court.

Jurisdiction was ceded by an act of the State Legislature, approved March 6, 1886, which provided as follows:

"1. *Be it enacted etc.*, That the consent of this state be and is hereby given to the purchase or acquisition, by gift or concession of the owners, by the government of the United States, or under the

authority of the same, of land in the county of Alexandria, necessary for the abutment and approaches of the proposed bridge across the Potomac river, anywhere in the county of Alexandria, not exceeding ten acres, and the building of such abutment and approaches upon the land that may be so acquired, and to the exercise of such jurisdiction by the United States over the same as may be necessary. But this consent is given subject to the following terms and conditions, to-wit:

"First. That this state retains concurrent jurisdiction with the United States over such land, so that the courts, magistrates, and officers of this state may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"Second. That if the purpose of this grant should cease, or there should be, for five years consecutively a failure on the part of the United States to use said land for said purpose, then the jurisdiction hereby ceded shall cease and determine, and the same shall revert to the commonwealth of Virginia.

"2. The land acquired, and the abutments and approaches built for the purposes aforesaid, shall be exempt from taxation by the state, or by the constituted authorities of the county of Alexandria; but this exemption shall continue only so long as the United States shall continue to be owners of the land and the erections thereon.

"3. This act shall be in force from its passage." (See Code of Va., 1904, sec. 15.)

Easement: Act of Congress, approved July 29, 1903, provided for the crossing of Aqueduct Bridge by the Great Falls and Old Dominion Railroad Company. Location of right of way approved by the Secretary of War, July 14, 1904, and November 29, 1905.

Revocable Licenses: License, March 15, 1887, to the Baltimore and Ohio Telegraph Company to place poles upon the bridge and abutments.

License, December 18, 1895, to Washington, Arlington and Falls Church Railway Company to extend its track to the south end of the bridge.

License, January 5, 1897, to Washington, Arlington and Falls Church Railway Company to lay additional track.

License, April 27, 1898, to the Washington, Arlington and Falls Church Railway Company to erect an addition to the reception room at the south end of the Aqueduct Bridge.

License, July 9, 1898, to the Postmaster at Rosslyn to construct and maintain small toilet room under platform of station building.

License, June 6, 1900, to Washington, Arlington and Falls Church Railway Company to erect a platform on east side of station at south end of Aqueduct Bridge.

License, October 12, 1900, to Washington, Arlington and Falls Church Railway Company to erect addition to station building at south end of Aqueduct Bridge.

License, May 1, 1901, to Washington, Arlington and Falls Church Railway Company to add to the floor space of its lunch room in station building at the south end of the Aqueduct Bridge.

License, June 10, 1904, to Washington, Arlington and Falls Church Railway Company to alter the position of its tracks and the form of its station, and to widen the platform from the immediate approach to the Aqueduct Bridge.

License, March 18, 1905, to the Western Union Telegraph Company to maintain existing telegraph line.

License, December 5, 1905, to the Falls Church Telephone and Telegraph Company to relocate its line of telegraph and telephone poles.

License, January 27, 1906, to the Rosslyn Connecting Railroad Company for 3-inch water pipe along roadway in front of the reservation and crossing the military road.

License, March 19, 1906, to the Washington, Arlington and Falls Church Railway Company for toilet room and water and sewer connections.

License, April 2, 1906, to Washington, Arlington and Falls Church Railway Company to "maintain its tracks, switches and pole line" and for "suspension pole"—all previous licenses for "poles or pole lines" being revoked.

See also Aqueduct Bridge, District of Columbia, and easements and licenses under Arlington, Virginia.

ARLINGTON.

This reservation contains, according to survey, 1,073.4 acres and is situated on the West bank of the Potomac River, opposite Washington, D. C. The following is inserted here as containing a full statement of the title, etc.:

This tract of land, improved by sundry buildings, etc., the legal title to which, under the will of George W. Parke Custis, who died in 1857, was in Mrs. Mary Ann Randolph Lee, the wife of Gen. Robert E. Lee, for life, with remainder over to George Washington Custis Lee in fee conditional, was taken possession of by the United States in the Spring of 1861 as within their military lines and the immediate scene of important military operations against an enemy then in arms against the Government, and so continued in possession for such purposes after the course of events had carried military occupation and operations elsewhere, as a defensible position for fortifications to command the capital. Subsequently, under a certain direct-tax act of June 7, 1862, and February 6, 1863, a tax was assessed against the property, and, in default of payment, the usual sale was had, when the United States, pursuant to authority of law, bid in the property at the tax sale 'for Government use for war, military, charitable, and educational purposes,' and under this title continued in possession until 1883. During this period a considerable part of the property was devoted to a cemetery for deceased soldiers of the United States, under the style of the *Arlington National Cemetery;* another considerable part for the erection of a fort and the works connected therewith, under the name of Fort Whipple, subsequently changed to *Fort Myer;* and a third and smaller part for the occupation of homeless and destitute freedmen and colored refugees.

After the close of the war, Mrs. Lee having deceased, the remainder-man, George W. P. C. Lee, claiming that the tax sale was defective, brought an action of ejectment in the Circuit Court for the County of Alexandria, Va., which was removed by a writ of *certiorari* into the Circuit Court of the United States, where it was heard and determined in favor of the claimant. From this decision the case was taken to the Supreme Court on writs of error, and the latter court, at

its October term, 1882, affirmed the judgment in favor of Mr. Lee, on the ground that the tax certificate and sale did not divest the plaintiff of his title to the property. (See U. S. *v.* Lee; Kaufman *v.* Lee, 16 Otto, 196.) Under this new condition of affairs, involving a possible removal of thousands of bodies from the cemetery, the dismantling of a fort, and the dispossession of many colored people whom the United States had permitted to reside on a part of the tract, and in order to secure a complete title to the property, the United States, under authority of an act approved March 3, 1883, accepted an offer of Mr. Lee to convey the same, with covenant of general warranty against every manner of claim against or in respect of said property, in *rem* or in *personam*, and also against all and every claim for damages on account of the use or occupation of said property, for the sum of $150,000.

Accordingly, on the 31st of March, 1883, for and in consideration of $125,000 in hand paid ($25,000 being retained until jurisdiction should be ceded by the State of Virginia, with perpetual exemption from taxation), the estate all and singular was conveyed to the United States by deed in fee simple by George W. P. C. Lee for himself, his heirs, and assigns forever (Deed recorded in Book F 4, records Alexandria County, Va., p. 257, May 14, 1883); and on the 25th of March, 1884, the general assembly of the State of Virginia having, by act approved February 23, 1884, ceded its jurisdiction over the said land and exempted the same from taxation, the final payment of $25,000 was made, and the Arlington Estate became the property of the United States.

By order of the Secretary of War, dated January 11, 1897, the limits of the National Military Cemetery within the foregoing-described estate were defined and the area fixed at 408 $\frac{1}{10}$ acres.

By order of the Secretary of War, dated February 8, 1889, the limits of the post of Fort Myer within the aforesaid-described estate were defined and the area fixed at 186 acres, and the remainder of the estate placed in charge of the Quartermaster's Department.

The jurisdiction ceded to the United States by the Act of the State Legislature, heretofore referred to, is as follows:

"Whereas, Robert T. Lincoln, Secretary of War of the United States, has made application to this General Assembly, for its consent to the purchase by the authorities of the United States of a tract of land, described as follows: All that certain tract or body of land, situate in Alexandria County (formerly in Fairfax County), in the State of Virginia, commonly known as the Arlington House estate, containing eleven hundred acres, be the same ever so much more or less, being the identical tract or body of land, which was conveyed by Gerard Alexander and wife, to John Park Custis, by deed bearing date, December twenty-fifth, A. D. one thonsand seven hundred and seventy-eight, and of him the said John Park Custis, inherited by George W. P. Custis, who devised the same to George W. C. Lee, and by him, the said George W. C. Lee, conveyed to the United States, by deed bearing date the thirty-first day of March, eighteen hundred and eighty-three, recorded in Liber F, number four, folio two hundred and fifty-seven, one of the land records of Alexandria County, Virginia; and whereas, the United States authorities held possession of said real estate, claiming absolute ownership thereof from January

eleventh, eighteen hundred and sixty-four, until March thirty-first, eighteen hundred and eighty-three, and used the same as a national cemetery for the burial of deceased soldiers and sailors, and for other public purposes, during which period no taxes, or county or township levies were either demanded or paid thereon, and for which a claim has been recently asserted; therefore,

"1. *Be it enacted by the General Assembly of Virginia*, That the consent of this state is hereby given to the purchase of said tract of land by the Government of the United States of America, but this consent is given subject to the following terms and conditions, to wit: That this State retains concurrent jurisdiction with the United States over the said tract of land, so that courts, magistrates and officers of this state may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"2. That said tract of land and the buildings now or that may hereafter be erected thereon, and any property of the United States, on said tract, are hereby exempted from all taxes imposed by this state, or by the constituted authorities of Alexandria County, and this exemption shall be in force from the date of said purchase by the United States, March thirty-first, eighteen hundred and eighty-three, and shall continue only so long as the United States shall be and remain the owner of said tract of land; and all taxes, and county, township and district levies, due or claimed to be due, for, against or upon said real estate since the same went into possession of and has been held and used by the United States authorities, as aforesaid, are hereby released and discharged." (See Code of Va., 1904, sec. 15.)

See also General Act of Cession.

Easements: Act of Congress approved February 28, 1891, granted a right of way through the reservation to the Washington and Arlington Railway Company. Location approved by the Secretary of War, December 12, 1891.

Act of Congress approved March 3, 1893, granted a right of way 66 feet wide through the reservation to the Washington Southern Railway Company. Location approved by the Secretary of War, June 1, 1893.

Act of Congress approved December 8, 1894, granted a right of way 50 feet in width through the reservation to the Washington, Alexandria and Mt. Vernon Railway Company.

Revocable Licenses: License, February 27, 1889, to the Board of Supervisors of Alexandria County to open and maintain a road forty feet wide upon the reservation.

License, September 5, 1894, to the Washington, Arlington and Falls Church Railway Company, owner of railway constructed by Washington and Arlington Railway Company, to construct line of double track on the reservation and to erect passenger shed at its terminus and a platform and shed near Fort Myer reservoir.

License, April 20, 1895, to the Washington, Arlington and Falls Church Railway Company to construct, operate and maintain its line of railway across the northwest corner of the reservation.

License, April 26, 1898, to the Washington, Arlington and Falls Church Railway Company to extend its line of tracks across the Fort Myer reservation.

License, November 26, 1898, to the Washington, Arlington and Falls Church Railway Company to connect with government water main and drain pipe at the station building near Arlington Cemetery gate.

License, May 4, 1899, to the Home Telephone Company to place poles along western boundary of the reservation.

License, February 27, 1901, to Washington, Arlington and Falls Church Railway Company to construct and maintain small shelter station on the reservation.

License, July 31, 1902, to Washington, Arlington and Falls Church Railway Company to change the location of its tracks on the reservation.

License, February 19, 1904, to the Falls Church Telephone and Telegraph Company to erect and maintain not exceeding ten poles on the reservation.

License, April 25, 1906, to Washington, Arlington and Falls Church Railway Company for extension of tracks to connect with line of Washington, Alexandria and Mount Vernon Railway.

For further privileges see Aqueduct Bridge, Virginia.

ARLINGTON NATIONAL CEMETERY.

This reservation contains an area of four hundred and eight and one-thirtieth acres, being a portion of the Arlington Estate.

See Arlington for situation, title and jurisdiction.

BALLS BLUFF NATIONAL CEMETERY.

This reservation contains an area of 2,500 square feet of land, situated about 2 miles from Leesburg, in Loudoun County, which was taken possession of and enclosed by the United States Government in 1865. Quit-claim deeds were obtained in 1904 from a majority of the heirs of the late Governor Swann, of Maryland, the former owner of the tract.

For jurisdiction see General Act of Cession.

BELLONA ARSENAL.

This reservation contains an area of 27.50 acres of land, and is situated on the South side of the James River in Chesterfield County. The title is as follows:

Deed from William Trabue and wife and Mary Reddy, dated September 21, 1815, conveying the above-described 27.50 acres. Recorded October 9, 1815, in the Clerk's Office of Chesterfield County.

Jurisdiction was ceded to the United States by an act of the State Legislature, passed February 22, 1845, which provides as follows:

"1. *Be it enacted, etc.*, That the assent of this state is hereby given to the purchase which was made by the United States of a piece of land containing 27.50 acres situate in Chesterfield County and known as the site of the Bellona Arsenal, according to the boundaries thereof described in the deed of purchase from William Trabue and wife and Mary Reddy, bearing date twenty-first day of September, Anno Domini eighteen hundred and fifteen, which description is as follows: [Here describes tract.] *Provided always*, And the assent

aforesaid is granted upon the express condition that this state shall retain a concurrent jurisdiction with the United States in and over the tract of land aforesaid, so far as that all civil and such criminal processes as may issue under the authority of this state against any person or persons charged with crimes committed without the bounds of said tract may be executed therein in the same way and manner as though this assent had not been granted." (See Code of Va., 1904, sec. 15.)

See also General Act of Cession.

CITY POINT NATIONAL CEMETERY.

This reservation contains an area of 7.49 acres, and is situated on the south bank of the Appomattox River at City Point, in Prince George County. The title is as follows:

1. Decree of condemnation for 7.34 acres and 0.85 acre in roadway, in cause wherein Edward Comer was plaintiff and the United State defendant, in the District Court of the United States for the District of Virginia. Rendered January 16, 1868, and filed with the record in said cause in the Clerk's Office of said Court at Richmond.

2. Deed from Edward Comer, dated January 23, 1868, conveying the lands embraced in Decree of Condemnation marked No. 1, supra. Recorded in the Clerk's Office of Prince George County.

3. Deed from Charles Comer, dated December 21, 1872, conveying a strip of land to build wall around cemetery. Deed recorded in Vol. 29, page 575, of same records.

For jurisdiction see General Act of Cession.

COLD HARBOR NATIONAL CEMETERY.

This reservation contains an area of 1.75 acres, and is situated at Cold Harbor, about 9 miles northeast from Richmond, in Hanover County. The title is as follows:

1. Decree of Condemnation for above property in Cause No. 4, In the matter of the petition of E. S. Talley, Guardian of Indiana H. Slaughter, in the United States District Court, District of Virginia. Rendered June 22, 1870, and filed with the record in said cause in the Clerk's Office of said Court.

2. Deed from E. S. Talley, Special Commissioner, etc., dated April 21, 1869, conveying land in accordance with above decree. Recorded in Book No. 4, page 514, of the deed records of Hanover County.

3. Deed from Miles Garthwright, et al., dated October 8, 1871, conveying a strip of land around cemetery for a wall. Recorded December 30, 1872, in same records.

Jurisdiction was ceded to the United States over that strip of land described in a deed from Miles Garthwright et al., marked No. 3, supra, by an act of the State Legislature, approved March 7, 1873. The entire act, as it relates also to another Cemetery, is set out in full as follows:

"Whereas it is represented by Theo. J. Eckerson, Captain and Assistant Quartermaster, that he is instructed by the Quartermaster-General of the United States Army to apply to this general assembly for its consent to the purchase by the authorities of the United States

of two tracts of land, now occupied as Military Cemeteries, and that according to his description of said tracts of land, they are laid down and bounded as follows:

"First. A certain lot or parcel of land situate, lying, and being in the County of Henrico and State of Virginia, containing One and forty-four one-thousandth acres, and being the tract conveyed to the United States by Mattie E. Cox and Francis E. Cox, by deed dated May fourteenth, eighteen hundred and seventy-two, and bounded as follows, to wit: On the north by land formerly owned by Alpheus W. Childrey and conveyed by him to the United States for a national cemetery; on the east by the Varina road; on the south by property belonging to the said Mattie E. and Francis E. Cox, and on the west by land belonging to the said Mattie E. and Francis E. Cox and Alpheus W. Childrey.

"Second. A certain lot or parcel of land lying and being in the township of Henry, County of Hanover and State of Virginia, containing three-fourths of an acre, more or less, and being the tract conveyed to the United States by Miles Garthwright and Margaret, his wife, and Gustavus Lange, by deed dated the seventh day of October, eighteen hundred and seventy-one, and being a strip of land five feet wide, immediately adjoining and extending around three sides of the Cold Harbor National Cemetery, to wit, the north, east and west sides of said Cemetery: Therefore,

"1. *Be it enacted by the General Assembly of Virginia*, That the consent of this State is hereby given to the purchase of said lands by the Government of the United States of America, to be occupied and used as a national cemetery, and for this purpose only. But this consent is given subject to the following terms and conditions, to wit:

"First. That this State retains concurrent jurisdiction with the United States over the said tracts of land, so that courts, magistrates, and officers of this State may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"Second. That if the purposes of these grants should cease, or there should be, for five years consecutively, a failure on the part of the United States to use said places, or either of them, for said purpose, then the jurisdiction hereby ceded shall cease and determine as to the place so failing to be used, and the same shall revert to the Commonwealth of Virginia. The said tracts of land, and the buildings that may be erected thereon, for the purpose aforesaid, and any property of the United States for said purposes on said tracts, are hereby exempted from all taxes imposed by this State, or by the constituted authorities of the Counties of Henrico or Hanover, but this exemption shall continue only so long as the United States shall be and remain the owner of said military cemeteries." (See Code of Va., 1904, sec. 15.)

See also General Act of Cession.

CRANEY ISLAND.

This reservation containing 32.5 acres, includes the whole Island, except as hereinafter noted. It is situated near Norfolk, in Norfolk County, and bounded by the waters of Elizabeth River, Craney

Island Creek, Thoroughfare Creek, and James River. The title is as follows:

Deed from George D. Wise, et al., dated May 5, 1817, conveying the entire Island. Recorded August 11, 1817, in the Norfolk County Court Clerk's Office.

By order of the Secretary of War, dated October 12, 1874, the Northwestern third was transferred to the Navy Department for erection of a magazine, with privilege to construct a landing at the southeastern end of the Island, and right of way over the Island to the magazine at the northwestern end.

For jurisdiction see General Act of Cession.

CULPEPER NATIONAL CEMETERY.

This reservation contains an area of 6 acres, and is situated at Culpeper, in Culpeper County. The title is as follows:

1. Decree of condemnation for 6 acres of land in the matter of Edward B. Hill *v.* the United States, in the United States District Court for the District of Virginia. Rendered April 27, 1867, and filed with the record in said cause in the Clerk's Office of said Court.

2. Deed from John M. Leavell and wife and William T. Leavell, Trustees, etc., dated October 3, 1890, conveying 2,830 square feet of land for right of way and approach to Cemetery. Recorded in Book 24, page 129, of the deed records of Culpeper County.

3. Deed from Carter A. Saunders and wife, dated November 11, 1890, conveying 16,260 square feet of land for roadway and approach to cemetery. Recorded in Book 24, page 130, of same records.

4. Deed from the Board of Trustees of the Catalpa School District, dated November 20, 1890, conveying 5,660 square feet of land for right of way and approach to cemetery. Recorded in Book 24, page 128, of same records.

For jurisdiction see General Act of Cession.

DANVILLE NATIONAL CEMETERY.

This reservation contains an area of 3.50 acres, and is situated at Danville, in Pittsylvania County. The title is as follows:

1. Deed from the Town of Danville, dated July 19, 1873, conveying about 2.7 acres. Recorded July 19, 1873, in the record of deeds at Danville. The foregoing deed was authorized by the Common Council of Danville, May 6, 1873, as per minutes of proceedings of said Council of said date in the Clerk's Office.

2. Deed from Thomas D. Stokes, Executor, etc., dated July 19, 1873, conveying four-fifths of an acre of land. Recorded July 19, 1873, in same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved April 22, 1874, which act is as follows:

"Whereas it is represented by Theo. J. Eckerson, Captain and Assistant Quartermaster, that he is instructed by the Quartermaster-General of the United States to apply to this general assembly to relinquish its jurisdiction over the parcels of land constituting the national cemeteries at Glendale, in the County of Henrico, and at the town of Danville, the United States having purchased the same; and

according to his description of said tracts of land, they are laid out and bounded as follows:

"First. That certain piece or parcel of land deeded to the United States September fifteenth, eighteen hundred and seventy-three, by R. Heber Nelson, Sally B. Nelson, Ethelinde Nelson, and Luciel Nelson, for national cemeteries, situated in the township of Varina, in the County of Henrico, bounded and described as beginning at a point three feet south of the westerly prolongation of the present southerly boundary line of the Glendale National Cemetery, and three feet west of the southerly prolongation of the present westerly boundary line of said cemetery, running thence south eighty degrees east, and on a line parallel with the present southerly line of said cemetery and three feet therefrom, three hundred and six feet and three inches; thence north eleven degrees east, parallel with the present easterly boundary line of said cemetery and three feet distant therefrom, two hundred and eighty-four feet and six inches; thence north seventy-nine degrees west, parallel with the present northerly boundary line of said cemetery and three feet therefrom, three hundred and four feet and one inch; thence southerly three feet, and parallel with the northerly prolongation of the present westerly boundary line of said cemetery and three feet therefrom; thence easterly three feet to the present northwesterly corner of said cemetery, and continuing easterly therefrom on the present northerly boundary line of said cemetery to the present northeasterly corner thereof; thence southerly on the present easterly boundary line of said cemetery to the southeasterly corner thereof; thence westerly and on the present southerly boundary line of said cemetery to a point three feet beyond and west of the present westerly boundary line thereof; thence southerly three feet to the place of beginning.

"Second. All that certain lot or parcel of land situated in the town of Danville, and deeded to the United States July nineteenth, eighteen hundred and seventy-three, by Thomas D. Stokes, Executor of N. T. Green, deceased, for a national cemetery, bounded and described as beginning at a stone at corner of Lee street and the road leading to the freedman's cemetery; thence south, twelve degrees thirty minutes east, two hundred and seventy-five feet to a rock; thence south seventy-six degrees west, seventy-three feet to a stone; thence north, thirty-five degrees west, two hundred and eighty-five feet to a stone on Lee street; thence north, seventy-six degrees east, along the line of Lee street, one hundred and eighty feet to the beginning.

"Third. All that certain lot or parcel of land situated in said town of Danville, and deeded to the United States July nineteenth, eighteen hundred and seventy-three, for a national cemetery, by the town of Danville, acting by George C. Ayres, president of the council of said town, bounded and described as beginning on Lee street at the northeast corner of Greenhill cemetery; thence north seventy-six degrees east, along said street four hundred and twenty-nine feet to a stone; thence south, thirty-five degrees east, two hundred and eighty-five feet to a stone; thence south, seventy-six degrees west, four hundred and twenty-nine feet to a stone in boundary line of Greenhill cemetery aforesaid; thence north, thirty-five degrees west, two hundred and eighty-five feet to the beginning: therefore,

"1. *Be it enacted by the General Assembly*, That the consent of this State is hereby given to the purchase of said lands by the Gov-

ernment of the United States of America, each to be occupied and used as a national military cemetery, and for this purpose only. But this consent is given subject to the following terms and conditions, to wit:

"First. That this State retains concurrent jurisdiction with the United States over the said tracts of land, so that courts, magistrates and officers of this State may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"Second. That if the purposes of these grants should cease, or there should be for five years consecutively a failure on the part of the United States to use said places, or either of them, for said purposes, then the jurisdiction hereby ceded shall cease and determine as to the place so failing to be used, and the same shall revert to the Commonwealth of Virginia.

"2. The act shall take effect from its passage." (See Code of Va., 1904, sec. 15.)

See also General Act of Cession.

FERRY POINT.

This reservation contains an area of 136 square poles and 50 links of land and is situated on a point called Ferry Point, on the Elizabeth River, in Norfolk County. The title is as follows:

Deed from William Thompson and wife, dated September 1, 1808, conveying the above property. Recorded in Record Book of Deeds, page 173, October 17, 1808, in Norfolk, County of Norfolk.

For jurisdiction see General Act of Cession.

FREDERICKSBURG NATIONAL CEMETERY.

This reservation contains an area of 12.005 acres and is situated at Fredericksburg, in Spottsylvania County. The title is as follows:

Deed from Douglas H. Gordon and wife, dated November 5, 1868, conveying the above tract. Recorded in the Clerk's Office of the Corporation Court of Fredericksburg April 21, 1869.

No cession of jurisdiction over cemetery.

In anticipation of the United States government acquiring a right of way from the City of Fredericksburg, the State Legislature gives consent and cedes jurisdiction by the following act, approved March 3, 1884, which provides as follows:

"Whereas it is represented to the general assembly that a bill is now pending in the Congress of the United States, authorizing the latter to open, occupy, and improve and maintain a suitable and convenient road from the City of Fredericksburg to the National Cemetery near said City:

"1. *Be it enacted, etc.*, That the consent of this State be and is hereby given to the purchase by the United States of such real estate in said City and County as may be necessary and convenient for said purposes, and to the occupation, improvement and use by the United States of any existing streets in said town, or public roads in said County, as may be needful and suitable for said purpose; and when the said real estate shall have been purchased and the said streets or

roads shall have been so occupied, used and improved for said purpose, jurisdiction is hereby ceded to the Government of the United States, so that Congress and the lawful authorities of the federal government shall have all lawful power and control over the same: *provided, however*, that the consent herein given shall not extend to the purchase or acquisition of more than ten acres of land for said purpose: *and provided further*, that the State retain concurrent jurisdiction over said real estate and said improved road to said cemetery in all matters relating to the violation of the laws of this State, and of the ordinances of said city, to the execution and service of all processes issued by or from the courts of the State and its magistrates or other officers, in pursuance of law, and in all other matters not incompatible with the consent herein given, and the rightful authority of the United States thereby acquired and to be acquired under this act.

"2. The said real estate and said improved road are hereby exempted from all taxes imposed or to be imposed by this State and constituted authorities of said city and county, so long as the same shall be held, maintained and used by the federal government for the purposes hereinbefore mentioned, and no longer." (See Virginia Code, 1904, sec. 15.)

See also General Act of Cession.

GLENDALE NATIONAL CEMETERY.

This reservation contains an area of 2.12 acres and is situated at Glendale, in Henrico County. The title is as follows:

1. Deed from Lucy C. Nelson, et al., dated June 16, 1869, conveying 1.8834 acres of land. Recorded in Deed Book 86, page 236, of the deed records in the Clerk's Office of the Henrico County Court.

2. Deed from R. Heber Nelson, et al., dated September 15, 1873, conveying a tract by metes and bounds. Recorded in Deed Book 92, page 360, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved April 22, 1874, for which see act set out under title "Danville National Cemetery."

See also General Act of Cession.

HAMPTON NATIONAL CEMETERY.

This reservation contains an area of 19.611 acres and is situated at Hampton, in Elizabeth City County. The title is as follows:

1. Deed from George Whipple and wife, dated October 21, 1868, conveying 4.749 acres. Recorded in the Clerk's Office of the County Court of Elizabeth City County August 11, 1869.

2. Decree of Condemnation for 6.862 acres of land in a certain cause wherein the United States was plaintiff and William E. Wood defendant, in the District Court of the United States for the District of Virginia. Rendered March 23, 1870, and filed with the record in said cause in the Clerk's Office of said District Court.

3. Deed from James A. Watkins and wife, dated July 25, 1891, conveying 2.93 acres. Recorded March 23, 1892, in said County records.

4. Deed from The Trustees of the Hampton Normal and Agricultural Institute, dated July 25, 1891, conveying 5.07 acres. Recorded

March 23, 1892, in said County records. The United States already owned the right of way over the road to the cemetery, the Hampton, etc., Institute holding subject to the right of way of the United States, therefore action by the board of supervisors of the County was unnecessary, although provided for by an Act of the State Legislature approved February 21, 1894. This act, however, cedes jurisdiction over said roadway as follows:

* * * * * * *

"3. The jurisdiction over the said roadway is hereby ceded to the United States: *Provided, however*, That the State of Virginia retains concurrent jurisdiction with the United States over the same, so that the courts, magistrates, and officers of this Commonwealth may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given. (Acts of Assembly, Va., 1893–4, p. 386.)

* * * * * * *

"Jurisdiction over the lands embraced within the limits of the cemetery was ceded to the United States by an act of the State Legislature approved March 31, 1875, which act provides as follows:

"Whereas it is represented to the general assembly, by officers of the United States Army, having authority in such matters, that they are instructed to apply to this general assembly for the consent to the purchase by the United States of two certain parcels of land, at or near Hampton, Virginia, now used as a military cemetery, the boundaries of which are stated to be as follows:

"First. A parcel of land purchased by the United States from George Whipple, and bounded as follows: [Here describes land set out in deed from George Whipple, marked No. 1, supra.]

"Second. The parcel of land purchased from W. E. Woods and bounded as follows: [Here describes land condemned as property of William E. Woods, as set out in condemnation proceedings, marked No. 2, supra.]

"And whereas it is further represented by said officers, that they are further instructed to apply for the consent of this general assembly to the purchase by the United States of a certain parcel of land lying within the corporate limits of the town of Winchester, in this State, now occupied as a military cemetery by the United States, being the land purchased by the United States from Jacob Baker, and bounded as follows: [Here describes land by metes and bounds] and containing nearly five acres.

"1. *Be it enacted, etc.*, That the consent of this State is hereby given to the purchase of said lands from the owners thereof by the government of the United States of America, or its authorized agents and officers, to be occupied and used as national military cemeteries, and for this purpose only. But this consent is given subject to the following terms and conditions, to wit:

"First. That this State retains concurrent jurisdiction with the United States over the said places, so that courts, magistrates and officers of this State may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

"Second. That if the purposes of this grant should cease, or there should be, for five years consecutively, a failure on the part of the

United States to use said places, or either of them, for said purpose, then the jurisdiction hereby ceded shall cease and determine as to such place. Whenever such failure of user shall occur, then the same shall revert to the Commonwealth of Virginia. The said tracts of land and the buildings that may be erected thereon for the purpose aforesaid, and any property of the United States thereon for said purpose, are hereby exempted from all taxes imposed by this State or by the constituted authorities of the counties or towns wherein they lie; but this exemption shall continue only so long as the United States shall be and remain the owners of said tracts of land.

"2. This act shall be in force from its passage." (See Code of Va., 1904, sec 15.

See also General Act of Cession.

FORT HARRISON NATIONAL CEMETERY.

This reservation contains an area of 1.55 acres, and is situated about 8 miles from the City of Richmond, in Henrico County. The title is as follows:

1. Deed from Alpheus W. Childrey and wife, dated March 26, 1869, conveying 0.462 acre of land. Recorded in Book 86, page 71, of the deed records of Henrico County.

2. Deed from Mattie E. Cox and husband, dated May 14, 1872, conveying 1.044 acres of land. Recorded in Book 91, page 42, of same records.

3. Deed from Alpheus W. Childrey, dated June 28, 1873, conveying a strip of land therein described. Recorded in Book 92, page 635, of same records.

Jurisdiction was ceded to the United States by an act of the State Legislature approved March 7, 1873; for which act, see under title "Cold Harbor National Cemetery."

See also General Act of Cession.

HOODS.

(Fort at.)

This reservation contains an area of 10 acres, and is situated on the south bank of the James River between Wards Creek and Flower de Hundred Creek, in Prince George County. The title is as follows:

1. Deed from Sarah Peter, et al., dated April 25, 1808, conveying 10 acres. Recorded in the Clerk's Office of the District Court at Petersburg, April 26, 1808, by order of the Court. (See Book of Deeds, Vol. 1, p. 136.)

2. Deed from James Henderson, et al., dated October 16, 1812, conveying a spot 30 feet square, heretofore reserved as a family burial ground. Recorded in the Clerk's Office of the Quarter Sessions Court. (See Book of Deeds, Vol. 1, p. 286.)

FORT HUNT (SHERIDAN'S POINT).

This reservation contains an area of 195 acres, 3 roods and 5 perches, and is situated on the Potomac River, in Mount Vernon District, in Fairfax County. The title is as follows:

1. Decree of Condemnation for 90 acres, 2 roods and 2 perches, in a cause entitled "In the matter of the acquisition by the United States of America, of certain lands in Fairfax County, Virginia, for the site, location, construction, and prosecution of works for fortifications and coast defenses," in the Circuit Court of the United States for the Eastern District of Virginia. Rendered June 10, 1893, amended and made final July 6, 1893. Filed with the record in said cause in the Clerk's Office of said Court and recorded in the minutes thereof.

2. Decree of Condemnation for 105 acres, 1 rood and 3 perches in a cause entitled "The United States *v.* John Miller," in the District Court of the United States for the Eastern District of Virginia. Rendered July 7, 1903, and filed in Clerk's Office of Fairfax County Court.

Deed of F. G. Percival, *et al.*, dated June 1, 1906, conveying right of way to county road. Recorded in Liber U No. 6, folio 342, *et seq.*, in Clerk's Office of Fairfax Circuit Court.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved February 29, 1892, which act is as follows:

"Whereas it has been represented to the general assembly of Virginia that the United States desires to acquire title to a tract of land at Sheridan's Point on the Potomac river, in the County of Fairfax, embracing three hundred acres of land, more or less, for the purpose of locating, constructing, and prosecuting works for fortifications and coast defenses; therefore,

"1. *Be it enacted by the general assembly of Virginia*, That the consent of this Commonwealth be, and is hereby given to the acquisition of said title, and when the same shall have been acquired jurisdiction is hereby ceded over the said tract of land to the government of the United States, so that Congress and the authorities of the federal government shall have all lawful power and control over the same, as is specified in the seventeenth clause of eighth section of the first article of the Constitution of the United States.

"2. This State retains jurisdiction over the said tract of land in all matters relating to the violation of the laws of the State, to the execution and service of all processes issued by or from the Court, magistrates or other officers of the State in pursuance of law, and in all other matters not incompatible with the consent herein given and the rightful authority of the United States to be acquired under this act.

"3. The said land and privileges hereby ceded, and the fortifications, buildings and structures which may be erected thereon by the United States Government are hereby exempted from all taxation so long as the same shall be held and used by the United States for the purposes hereinbefore mentioned, and no longer: *provided* that if within the area herein mentioned any business or calling for which a license tax is required by the State of Virginia is followed or pursued, the same shall be liable to such license taxation: *and provided further*, that if any buildings be erected within such area for the purposes disconnected from and not necessary to the purposes of this act,

such buildings and all personal property contained or used in or in connection with such buildings shall be subject to taxation by the State of Virginia and the County of Fairfax in like manner, and at the same rate as other property in said county may be taxed.

"4. Should the property herein granted be used for any other purposes than those specified herein by the United States Government, or under its authority, then the same shall be subject to taxation as other property in this State.

"5. This act shall be in force from its passage." (Acts of Assembly, Va., 1891–2, p. 724. See also Virginie Code, 1904, sec. 15.)

See also General Act of Cession.

FORT MONROE.

This reservation contains an area of about 397.61 acres, including the 15 acres known as the Rip Raps, and is situated at Old Point Comfort, in Elizabeth City County, commanding the entrance to Hampton Roads. The title is as follows:

1. Deed from the Governor of Virginia, dated —, 1838, ceding title to and jurisdiction over 250 acres of land at Old Point Comfort, and 15 acres of shoal at the Rip Raps. Recorded in Elizabeth City County Clerk's Office December 12, 1838.

2. Deed from The Hampton River and Mill Creek Toll Bridge Company, dated November 15, 1838, conveying all right, title, and interest to a certain toll bridge, and abutments thereof, across Mill Creek, together with right of way between said toll bridge and the bridge across Hampton River. Recorded November 15, 1838, in same records.

3. Deed from Jas. A. J. Bradford to Lieut. Col. R. E. DeRussy, for the United States, dated February 12, 1841, conveying 15 acres of land. Recorded April 8, 1841, in same records.

4. Deed from John Tabb to Col. R. E. DeRussy, for the United States, dated 1844 (?), conveying 2 acres of a tract called "The Glebe." Recorded in same records.

5. Deed from Jas. M. Cumming and wife, dated August 18, 1903, conveying certain lots in Chesapeake District, aggregating 10.5 acres, more or less. Recorded in Vol. 41, page 452, of same records.

6. Decree of circuit court of the United States, Eastern District of Virginia, entered November 10, 1904, condemning a tract of 1.29 acres (above mean low water —0.49 of an acre of which is high land), known as the Catholic Brothers' Land. Consideration paid to owner ("Old Point Comfort College") same date.

7. Decree of condemnation of 103.61 acres above mean low water (40.05 acres of high land), the property of John R. McGinness, in the United States Circuit Court for the Eastern District of Virginia. Rendered November 12, 1906.

Jurisdiction over the tracts included in deed marked No. 1, supra, was authorized to be ceded to the United States by an act of the State Legislature passed March 1, 1821, as follows:

"*Preamble:* Whereas it is shown to the present General Assembly that the Government of the United States is solicitous that certain lands at Old Point Comfort, and at the shoal called the Rip Raps, should be, with the right of property and entire jurisdiction thereon,

vested in the said United States for the purpose of fortification, and other objects of National defence.

"1. *Be it enacted, etc.*, That it shall be lawful and proper for the Governor of this Commonwealth, by conveyance or deeds in writing under his hand and seal of the State, to transfer, assign and make oven unto the said United States the right of property and title, as well as all the jurisdiction which this Commonwealth possesses over the land and shoal at Old Point Comfort and the Rip Raps; *Provided*, The cession at Old Point Comfort shall not exceed 250 acres, and the cession of the shoal at the Rip Raps shall not exceed fifteen acres, *And provided also*, That the said cession shall not be construed or taken, so as to prevent the officers of this State from executing any process, or discharging any other legal functions, within the jurisdiction or territory herein directed to be ceded, nor to prevent, abolish or restrain the right or privilege of fishery hitherto enjoyed and used by the citizens of this Commonwealth within the limits aforesaid; *And provided further*, That nothing in the deed of conveyance, required by the first section of this act, shall authorize the discontinuance of the present road to the Fort, or in any manner prevent the pilots from erecting such marks and beacons as may be deemed necessary.

"2. *An be it further enacted*, That should the said United States at any time abandon the said lands and shoal, or appropriate them to any other purposes than those indicated in the preamble to this act, that, then and in that case, the same shall revert to, and revest in this Commonwealth." (See Code of Va., 1904, sec 15.)

Jurisdiction over the toll bridge described in the deed marked No. 2 (supra) was authorized to be ceded to the United States by an act of the State Legislature approved January 14, 1871, which provides as follows:

"1. *Be it enacted, etc.*, That it shall and may be lawful for the governor of this Commonwealth, and he is hereby fully authorized so to do, for and on behalf of this Commonwealth, by a proper deed and instrument of writing, under his hand and the seal of the Commonwealth, to convey, transfer, assign and make over, to the United States, all the jurisdiction which this Commonwealth has or possesses over a certain toll-bridge, and the abutment thereof, across Mill Creek in the County of Elizabeth City, erected in pursuance of an Act of the General Assembly of Virginia, passed January twenty-seventh, Anno Domini, Eighteen hundred and twenty-five, entitled an Act empowering the County of Elizabeth City to erect two toll bridges, and for other purposes, with all the appurtenances to the said toll bridge belonging, but excluding the said jurisdiction over the road leading from the said abutment, in the said County of Elizabeth City, on the north side of Mill Creek, to the abutment of the toll bridge across Hampton River, which said toll bridge across Mill Creek, and its abutment, in the County of Elizabeth City, was conveyed to the said United States by the Hampton River and Mill Creek Toll Bridge Company, by its deed dated the fifteenth day of November, Eighteen hundred and thirty-eight, and recorded in the Clerk's Office of the County Court of said County on the same day: *Provided*, That all the conditions imposed by the charter of incorporation of the Hampton River and Mill Creek Toll Bridge Company, passed on the twenty-seventh day of January, Eighteen hun-

dred and twenty-five, shall be observed and kept by the United States; and that the deed hereby authorized shall provide that the grant of jurisdiction hereby authorized shall be null and void upon the failure of the United States to comply with and keep the said condition.

"2. If at any time hereafter the said bridge shall be suffered to fall into decay, or the said United States shall cease to use the same for military purposes in connection with Fortress Monroe, then, and in either event, the jurisdiction over such territory hereby declared to be vested in the United States, shall revert to this Commonwealth and be subject to the jurisdiction of the same, in like manner as if this act had never been passed: *provided*, that nothing herein contained shall be so construed as to authorize the said United States to exact toll or compensation for crossing or passing over said bridge, or to prevent the officers of this Commonwealth from executing any process whatever within the jurisdiction hereby directed to be ceded to the United States." (See Appendix, p. 427.) (See Code of Va., 1904, sec. 15.)

See also General Act of Cession.

Easements: Act of Congress, approved July 3, 1884, granted permission to the Chesapeake and Ohio Railway Company to extend its line upon the reservation and to erect a station. Location approved by the Secretary of War, February 6, 1889.

Act of Congress, approved March 3, 1891, granted permission to Hampton and Old Point Railway Company to construct and operate a street railway upon the reservation. Location approved by Secretary of War, November 14, 1891.

Revocable Licenses:

The Sherwood.

License, April 15, 1843, to Dr. Archer to erect a frame building without the walls of Fort Monroe.

License, March 21, 1878, to Mrs. S. F. Eaton for addition to the building she occupies on the reservation. (House erected by Dr. Archer.) Plans approved September 30, 1879.

License, February 14, 1890, to George Booker to enter upon reservation and occupy, improve and extend the building known as the Eaton Cottage.

License, March 25, 1895, to George Booker to reconstruct that portion of the building known as The Sherwood recently destroyed by fire.

License, April 19, 1895, to George Booker to extend building known as The Sherwood.

License, February 3, 1897, to George Booker to repair the building known as The Sherwood, damaged by fire.

License, September 29, 1903, to M. Louise Booker, administratrix, etc., to maintain and use the building known as the New Sherwood.

License, November 23, 1903, to John B. Kimberly to maintain and use the building known as the New Sherwood.

Catholic Chapel.

License, June 20, 1860, to the Rt. Rev. John McGill to build a Catholic Chapel on the reservation.

License, July 10, 1876, to P. J. Hasty to build residence for Roman Catholic priest upon the reservation.

License, October 20, 1893, to T. J. Mercer, Roman Catholic priest, to make alterations and repairs to priest's residence.

Kimberly Properties.

License, (in form of agreement) July 15, 1868, to William H. Kimberly to re-erect a store-house upon the reservation, pursuant to authority granted by Joint Resolution of Congress, approved March 16, 1868.

License, December 11, 1894, to John B. Kimberly to maintain and use the buildings formerly occupied by William H. Kimberly.

License, February 27, 1897, to John B. Kimberly to enlarge the storeroom of his building on the reservation.

(Notice of revocation of licenses to John B. Kimberly, June 7, 1902, in so far as they authorized the occupancy of the ground occupied by the front forty feet of the building, back to line with front of Chamberlin Hotel.)

License, July 30, 1902, to John B. Kimberly to construct and maintain an addition to his building on the reservation.

License, October 1, 1902, to John B. Kimberly to add drug department to his stock of general merchandise.

Express Companies.

License, December 20, 1872, to the Adams Express Company to use a parcel of ground on the reservation near the Kimberly store-house.

(Notice, June 7, 1902, to the Adams Express Company to cut off and remove the front forty feet of its building back to a line with the front of the Chamberlin Hotel.)

License, April 17, 1891, to the United States Express Company to transact business in some building already on the reservation.

License, September 29, 1896, to the Southern Express Company to conduct its business in the building used by the Adams Express Company.

Baulch Properties.

License, February 26, 1879, to Wm. Baulch to erect building for the storage of ice.

License, March 17, 1892, to Wm. Baulch to remove ice house building to site selected by post commander.

License, September 5, 1894, to Wm. Baulch to erect building in connection with his ice house for the stabling of two draft horses.

License, May 6, 1897, to Wm. Baulch to build a small pier in front of his ice house to replace one partly destroyed by storm.

(Notice to Mr. Baulch, June 7, 1902, to remove his news stand and the buildings appurtenant thereto, if any, from the reservation.)

Telegraph Companies.

License, May 17, 1892, to the York Telephone and Telegraph Company to construct, maintain and operate a telegraph or telephone cable, or both, in connection with aerial lines across the Fort Monroe and Fort Wool reservations.

License, December 12, 1894, to the Postal Telegraph-Cable Company to land, maintain and operate its cable on the Rip Raps and on the Fort Monroe reservation.

License, March 9, 1895, to the Postal Telegraph-Cable Company to extend its wires from the Chamberlin Hotel through the reservation on the poles of the Hampton and Old Point Electric Company.

License, September 13, 1895, to the Hampton Telephone Company to construct, maintain and use a telephone line on the reservation.

License, November 4, 1897, to the Hampton Telephone Company to land a telephone cable on the reservation.

License, September 23, 1902, to Western Union Telegraph Company to remove its office from the Hygeia Hotel to another location.

License, October 4, 1905, to the Postal Telegraph-Cable Company to run its telegraph wires upon the existing poles of the Hampton Telephone Company, and erect poles to complete connections to the Chamberlin Hotel and cable landing.

Hotel Chamberlin.

License, May 25, 1887, to John F. Chamberlin to erect and maintain a hotel upon the reservation, pursuant to authority granted by Joint Resolution of Congress, approved March 3, 1887.

License, March 13, 1897, to the Hampton Roads Hotel Company erect a dancing and bathing pavilion in front of the breakwater of the Hotel Chamberlin.

License, February 9, 1898, to the Hampton Roads Hotel Company to establish and conduct a drug store in a room of the Hotel Chamberlin.

License, March 24, 1903, to the Old Point Comfort Improvement Company to continue for the Chamberlin Hotel the private water system acquired by that company from the owners of the Hygeia Hotel.

License, April 14, 1903, to the Old Point Comfort Improvement Company to maintain and operate the Hotel Chamberlin subject to conditions contained in Joint Resolution of Congress, approved March 3, 1887, and license from the Secretary of War to John F. Chamberlin, dated May 25, 1887.

License, December 28, 1903, to George F. Adams, manager of Hotel Chamberlin to erect and maintain an automobile storehouse on the reservation.

Railway Companies.

License, March 24, 1892, to Hampton and Old Point Railway Company to extend a track upon the government wharf.

License, March 10, 1896, to the Newport News, Hampton and Old Point Railway Company to operate the street railway constructed by the Hampton and Old Point Railway Company.

License, February 9, 1897, to the Newport News, Hampton and Old

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Point Railway Company to maintain and use its tracks upon the government wharf.

License, March 22, 1899, to the Newport News and Old Point Railway and Electric Company to put in a switch at the government wharf.

(Notice, April 6, 1901, to the Newport News and Old Point Railway and Electric Company to remove tracks from in front of Artillery School building.)

License, February 15, 1896, to the Buckroe, Phoebus and Hampton Railway Company to construct, maintain and operate an electric street railway on the reservation.

License May 27, 1899, to the Chesapeake and Hampton Roads Railway Company to lay single track, erect poles and string wires upon the reservation.

License, January 9, 1900, to the Point Comfort Beach Railway Company to lay and maintain an electric railway through that portion of the reservation lying north of Mill Creek which was acquired from Jas. A. J. Bradford by deed dated February 12, 1841.

License, November 15, 1895, to the Chesapeake and Ohio Railway Company to construct a freight depot on the reservation.

Licenses, dated October 20, and December 15, 1904, to the Hampton Roads Railway and Electric Company for connection with tracks of the Newport News and Old Point Railway and Electric Company, and joint use of tracks of latter company.

License, December 29, 1905, to Newport News and Old Point Railway and Electric Company, covering acquisition and maintenance of railway of Hampton Roads Railway and Electric Company.

Transportation Companies.

License, August 22, 1900, to F. V. Archer to make one landing each day at the government wharf with the steamer General Jas. A. Dumont.

License, August 2, 1900, to Wallington Hardy to land freight and passengers from the steamer Salacia upon the government wharf.

The following transportation companies also are authorized to transact business at the main wharf under Act of Congress, approved August 1, 1894:

Baltimore, Chesapeake and Richmond Steamboat Company;
Baltimore Steam Packet Company;
New York, Philadelphia and Norfolk Railroad Company;
Norfolk and Washington Steamboat Company;
Norfolk Railway and Light Company;
Old Dominion Steamship Company;
Virginia Navigation Company.
Weems Steamboat Company.
Newport News and Old Point Railway and Electric Company.

Miscellaneous.

License, March 4, 1884, to The Light House Board to locate a buoy depot on the reservation.

License, February 12, 1890, to the Hampton Electric Light and Power Company to place poles on the government bridge over Mill Creek and in the grounds of the reservation.

License, March 21, 1890, to enlisted men at Fort Monroe to erect a club house for the Catholic Social Club.

License, July 26, 1890, to F. B. Roads, Secretary Veteran Association, 3rd Pennsylvania Heavy Artillery and 188th Pennsylvania Volunteers, to place a bronze tablet on the inner wall at the main entrance to Fort Monroe.

License, January 30, 1895, to the Newport News Light and Water Company to extend its line of pipe on the reservation.

License, January 17, 1896, to the Chesapeake Light and Power Company to run its wires on the poles erected by the Hampton Telephone Company.

License, June 17, 1902, to the International Committee of Young Men's Christian Association to erect and maintain a building upon the reservation, pursuant to authority of Act of Congress, approved May 31, 1902.

License, January 13, 1905, to Collector of Customs, covering erection of flag-staff for display of U. S. Revenue Ensign, at Collector's Office.

License, July 8, 1905, to Agricultural Department covering erection of steel storm-warning tower for Weather Bureau

FORT MYER AND MILITARY ROAD.

This reservation contains an area of 186 acres, being a portion of the Arlington Estate. (See "Arlington" for situation, title and jurisdiction.)

The following deeds convey the title in a military road, under authority of Act of Congress, approved June 28, 1902:

1. Deed from H. Rozier Dulany and Howard P. Marshall, Trustees, dated August 4, 1902, conveying 2.347 acres for a military road. Recorded in Liber 107, folio 112, of the land records of Alexandria County.

2. Deed from Mrs. Charlotte L. Drain and husband, dated September 30, 1902, conveying 49,400 square feet for a military road. Recorded in Book 107, page 94, of same records.

See also General Acts of Cession.

For list of easements and licenses see "Arlington" and "Aqueduct Bridge."

FORT NELSON.

This reservation contains an area of about 79 acres, and is situated on the Elizabeth River near Mosquito Point, in Norfolk County. The title is as follows:

1. Deed from Thomas Newton and wife, dated September 3, 1799, conveying 18 acres of land on Mosquito Point, etc. Recorded in the Clerk's Office of the Norfolk County Court April 21, 1800.

2. Deed from Thomas Newton and wife, dated November 29, 1827, conveying 61 acres of land adjoining above tract. Recorded June 17, 1840, in same records.

Jurisdiction was authorized to be ceded to the United States by an act of the State Legislature passed February 19, 1842, which act is as follows:

"Whereas Thomas Newton and wife by their deed of the third of September Seventeen hundred and ninety-nine and of record in the

Court of the County of Norfolk, conveyed to John Adams, President of the United States, Eighteen acres of land, more or less, situate in said County, upon which a fortification was erected by the Government of the United States, called "Fort Nelson" which fortification has since been removed, and a Naval Hospital built by the United States Government thereon and other lands adjoining thereto, since purchased by the United States, which last purchase has been upon the part of the State of Virginia ceded to the United States, but no cession ever having been made of the lands upon which the said fort was erected:

"1. *Be it enacted, etc.*, That it shall be lawful and proper for the Governor, or acting Governor of this Commonwealth, by conveyance, or deeds in writing under his hand and the seal of the State, to transfer, assign and make over to the United States, the right of property and title as well as all the jurisdiction which the Commonwealth possesses over the lands upon which Fort Nelson was erected as a foresaid containing by estimation Eighteen acres; subject nevertheless to all the restrictions, limitations and provisions as are set forth and contained in the act passed on the first day of March Eighteen hundred and twenty-one entitled 'An act ceding to the United States the lands on Old Point Comfort, and the shoals called the Rip Raps.'" (See Code of Va., 1904, sec. 15.)

It seems that by an act of the State Legislature approved February 27, 1833, jurisdiction over the lands described in the deed marked No. 2 (supra) was ceded to the United States for "Naval-Hospital" purposes. The land described in deed marked No. 1 (supra) seems to have been turned over to the proper authorities for a naval hospital conditionally.

FORT NORFOLK.

This reservation contains an area of $4\frac{6}{8}\frac{9}{1}\frac{7}{0}$ acres, and is situated on the Elizabeth River near Norfolk, in Norfolk County. The title is as follows:

Deed from Edward Pool and wife, dated May 21, 1795, conveying the above tract.

(The above reservation transferred to the Navy Department conditionally by order of the Secretary of War, dated July 28, 1848.)

Consent to the purchase by the United States was given by an Act of the State Legislature passed November 28, 1794, as follows:

"1. *Be it enacted, etc.*, That it shall be and may be lawful for the President of the United States, or any person by him appointed for that purpose, to purchase within the limits of this State a quantity of land, not exceeding six hundred and forty acres, for the use of the United States for the purpose of erecting a magazine and arsenal thereon." (See Code of Va., 1904, sec. 15.)

POPLAR GROVE NATIONAL CEMETERY.

This reservation contains an area of 8.65 acres, and is situated about $4\frac{1}{2}$ miles from Petersburg in Dinwiddie County. The title is as follows:

1. Deed from Bradley T. Johnson, Special Commissioner, dated April 3, 1868, conveying 8.13 acres of land. Recorded in the Clerk's

Office of the Dinwiddie County Court December 15, 1868, in Deed Book No. 12, page 159.

Decree of Condemnation for above land with appraisement, and appointment of Bradley T. Johnson as Special Commissioner to convey, etc., in the cause of George Vickers, Guardian, etc., et al., *v.* The United States, rendered April 3, 1868, in the District Court of the United States for the District of Virginia. Filed with the record in the Clerk's Office of said District Court.

2. Deed from J. Wesley Friend, Special Commissioner, dated April 30, 1877, conveying 0.0919 of an acre of land. Recorded in Deed Book No. 14, page 428, of said county records.

Decree of Condemnation of above land with appraisement, and appointment of J. Wesley Friend as Special Commissioner to convey, etc., in the cause of J. Wesley Friend, Guardian, etc., *v.* Fannie E. Farley et al., in the Circuit Court of Dinwiddie County, April term, 1877. Rendered at said Term and filed with the record in the Clerk's Office of said Court.

3. Deed from J. Wesley Friend, Special Commissioner, dated April 30, 1877, conveying 0.5019 of an acre of land and right of way. Recorded in Deed Book No. 14, page 429, of said county records.

Decree of Condemnation of the above land, with appraisement, and appointment of J. Wesley Friend as Special Commissioner to convey, etc., in the cause of J. Wesley Friend, Guardian, etc., et al., *v.* Rebecca D. Flower et al., in the Circuit Court of Dinwiddie County, October Term, 1876. Rendered at said Term, and filed with the record in the Clerk's Office of said Court.

POTOMAC HIGHWAY BRIDGE.

The reservation contains about 4.471 acres, at the Virginia end of the New Highway Bridge. The title is as follows:

1. Deed from William M. Lewin, Trustee, dated December 23, 1904, conveying above tract. Recorded in Deed Book No. 111, page 56, of the land records of Alexandria County.

RICHMOND NATIONAL CEMETERY.

This reservation contains an area of 9.74 acres, also right of way, and is situated on the Williamsburg Turnpike road near Richmond, in Henrico County. The title is as follows:

1. Deed from William Slater and wife, dated July 29, 1867, conveying 3 acres of land. Recorded in the Clerk's Office of the Henrico County Court, January 20, 1868, in Book No. 84, page 21.

Decree of Condemnation, appraisement, and order of conveyance of above land in case of said William Slater *v.* The United States, in the District Court of the United States for the District of Virginia. Rendered June 7, 1867, and filed with the record of the cause in the Clerk's Office of said Court.

2. Deed from William L. Williams, Trustee, etc., et al., dated July 10, 1868, conveying 5 acres of land. Recorded in Book No. 85, page 326, of said county records.

3. Deed from the Board of Supervisors of the County of Henrico, dated May 21, 1887, conveying a strip of land 6,040 feet in length by 100 feet in width for a road and right of way, heretofore vested

in said Board by an Order of the County Court of Henrico County, entered May 17, 1887, in condemnation proceedings instituted in said Court. Deed made pursuant to an Act of the General Assembly of Virginia entitled "An Act to authorize the Board of Supervisors of the County of Henrico, Virginia, to convey to the United States the right of way for a certain road," approved May 6, 1887, and also in pursuance of a resolution of said Board entered May 7, 1887. Recorded June 17, 1887, in said county records. The above-described road acquired under and by virtue of an Act of Congress, approved February 28, 1887.

4. Deed, dated June 23, 1906, from George Geffert, conveying 1.74 acres. Recorded in Book 177a, page 300, of same records.

SEVEN PINES NATIONAL CEMETERY.

This reservation contains an area of 1.55 acres, and is situated at Seven Pines, about 8 miles from Richmond, in Henrico County. The title is as follows:

1. Deed from Richard Hilliard, dated April 24, 1867, conveying 1.3 acres of land. Recorded in the Clerk's Office of the Henrico County Court September 21, 1868, in Book 84, page 501.

2. Deed from Richard Hilliard, dated May 1, 1873, conveying 9,200 square feet of land. Recorded in Book 91, page 446, of same records.

3. Deed from James Kelly, dated September 8, 1875, conveying 1,380 square feet of land. Recorded in Book 96, page 239, of same records.

STAUNTON NATIONAL CEMETERY.

This reservation contains an area of 1.15 acres, and is situated at Staunton in Augusta County. The title is as follows:

Deed from Nickolas K. Trout and wife, et al., dated September 30, 1868, conveying 1.1463 acres of land. Recorded in the Clerk's Office of the County Court of Augusta County, May 22, 1869, in Book No. 84, pages 459 and 460.

WILLOUGHBY SPIT.

(Land at.)

This reservation contains an area of about 47 acres of land, and two rights of way, each 50 feet wide and containing about 37,500 square feet, and is situated on Willoughby Spit on Willoughby Bay, in Norfolk County. The title is as follows:

Decree of Condemnation, etc., of the above lands and rights of way in a certain cause, entitled "In the matter of the acquisition by the United States of America of certain land in the County of Norfolk, State of Virginia, for the site, location, construction and prosecution of works for fortifications and coast defences," in the Circuit Court of the United States for the Eastern District of Virginia. Decree rendered October 16, 1891; made final November 16, 1891, and filed with the record of said cause in the Clerk's Office of said Circuit Court. Decree also recorded in the Clerk's Office of the Norfolk County Court, November 23, 1891. (See Deed Book No. 168, pp. 530 to 534, inclusive.)

Jurisdiction was ceded to the United States by an act of the State Legislature approved February 29, 1892, which act is as follows:

"Whereas it has been represented to the general assembly of Virginia that the United States have acquired title to a tract of land at Willoughby Spit, in the County of Norfolk, embracing about fifty acres of land, for the purpose of locating, constructing and prosecuting works for fortifications and coast defences; Therefore,

"1. *Be it enacted by the general assembly of Virginia*, That the consent of this Commonwealth be, and is hereby, given to the acquisition of said title, and jurisdiction is hereby ceded over the said tract of land to the government of the United States, so that Congress and the authorities of the federal government shall have all lawful power and control over the same, as is specified in the seventeenth clause of the eighth section of the first article of the Constitution of the United States.

"2. This state retains jurisdiction over the said tract of land in all matters relating to the violation of the laws of the state, to the execution and service of all processes issued by or from the courts, magistrates or other officers of the State in pursuance of law, and in all other matters not incompatible with the consent herein given and the rightful authority of the United States thereby acquired or to be acquired under this act.

"3. The said land and privileges hereby ceded, and the fortifications, buildings and structures which may be erected thereon by the United States government, are hereby exempted from all taxation so long as the same shall be held and used by the United States for the purpose hereinbefore mentioned, and no longer.

"4. Should the property herein granted be used for any other purposes than those specified herein by the United States government, or under its authority, then the same shall be subject to taxation as other property in this State.

"5. This act shall be in force from its passage." (Acts of Assembly, Va., 1891–2, p. 739.)

Revocable License: License, August 5, 1896, to the Norfolk, Willoughby Spit and Old Point Railroad Company to construct, maintain and operate an electric railway as an extension to the existing electric railroad from Norfolk to Ocean View.

WINCHESTER NATIONAL CEMETERY.

This reservation has an area of 4.89 acres, and is situated at Winchester, in Frederick County. The title is as follows:

Deed from Jacob Baker, dated December 1, 1870, conveying nearly 5 acres of land. Recorded in the Office of the Clerk of the corporation of Winchester, May 15, 1872, in Book 13, pages 478 to 481.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved March 31, 1875, for which act see under title "Hampton National Cemetery."

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FORT WOOL.

This fort is situated at the Rip Raps. (See "Fort Monroe" for title.)

Revocable License: License, October 30, 1897, to the Southern States Telephone Company to land its cable on the east side of the Rip Raps and extend it across the reservation to the cable on the west side.

YORKTOWN (MONUMENT AT).

This reservation contains an area of about 10.34 acres, and is situated at Yorktown, in York County. The title is as follows:

Deed from William W. Old, Special Commissioner, dated October 19, 1881, conveying the above land. Recorded in the Clerk's Office of the York County Court, June 15, 1882, in Deed Book 20, page 9.

The foregoing deed made in accordance with a Decree, entered on the 29th day of June, 1880, by the Chancery Court of the City of Richmond, in the cause wherein The Dismal Swamp Land Company and others were plaintiffs and Robert Anderson's personal representatives and others defendants. Sale ordered and Wm. W. Old appointed Special Commissioner to convey said land. Decree recorded in the Office of the Clerk of said Court at Richmond, and a copy in the Office of the Clerk of the York County Court at Yorktown.

Jurisdiction was ceded to the United States by an act of the State Legislature, approved April 21, 1882, which act provides as follows:

"1. *Be it enacted, etc.*, That the consent of the State be, and the same is hereby given, to the purchase by the government of the United States, or under the authority of the same, of a certain tract of land at the town of York, in the said State of Virginia, for the purpose of the erection thereon by the United States of a monument to commemorate the surrender of Lord Cornwallis and his forces to the allied army, commanded by General George Washington, in October, seventeen hundred and eighty-one; the metes and bounds of the said tract being as follows, namely: [Here describes lands] containing ten acres and thirty-four hundredths of an acre, more or less.

"2. The aforesaid consent is given, subject to the following terms and conditions, namely: All deeds, conveyances of title, papers for the same, shall be recorded as in other cases upon the land record of the County in which the aforesaid tract shall lie, and in like manner shall be recorded a sufficient description of the aforesaid tract by its proper metes and bounds, this consent being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided. The State of Virginia retains concurrent jurisdiction with the United States over the aforesaid tract, so that courts, magistrates, and officers of the State may take such cognizance, execute such process, and discharge such other legal functions within the aforesaid tract as may not be incompatible with the consent hereby given.

"3. The tract as above described, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation.

"4. This act shall be in force from its passage." (See Code of Va., 1904, sec. 15.)

YORKTOWN NATIONAL CEMETERY.

This reservation contains an area of 3 acres, and is situated at Yorktown, in York County. The title is as follows:

1. Deed from Frederick W. Power and wife, dated March 10, 1868, conveying 2.721 acres of land. Recorded in the Clerk's Office, York County Court, October 19, 1868, in Deed Book 17, page 180.

Decree of Condemnation for same land rendered in the District Court of the United States for the Eastern District of Virginia, and recorded in the Clerk's Office with said cause at Richmond, and also as above in the Clerk's Office of the York County Court.

2. Deed from Lot Wolf and wife, et al., dated February 8, 1875, conveying 8 feet of land on the North, East, and South sides of the Cemetery. Recorded in Book 18, page —, of same records.

Decree of Condemnation of same land rendered and made final May 4, 1875, in the District Court of the United States for the Eastern District of Virginia, and recorded in the Clerk's Office of said Court at Richmond, and also as above in the Clerk's Office of the York County Court.

WASHINGTON.

GENERAL ACTS OF CESSION.

"SECTION 1. That the consent of the Legislature of the State of Washington be and the same is hereby given to the purchase, by the Government of the United States or under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate, within the boundaries of the State, for the purpose of erecting and maintaining thereon armories, arsenals, fortifications, magazines, navy-yards, dock-yards, custom-houses, light-houses and other needful public buildings or establishments whatsoever; the consent herein and hereby given being in accordance with the provisions of the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided. And like consent of the legislature of the State of Washington is hereby given in the cases of all such tracts or parcels of land as have been heretofore purchased by the government of the United States, or which have been or may hereafter be reserved by the said government, out of any public land belonging to the United States, for any of the purposes before mentioned: *Provided*, That a sufficient description by metes and bounds and an accurate plat or map of each such tract or parcel of land be filed in the proper Office of record in the county in which the same is situated; together with copies of the orders, deeds, patents or other evidences in writing of the title of the United States: *And provided further*, That all civil process issued from the courts of this State, and such criminal process as may issue under the authority of this State against any person charged with crime, in cases arising outside of such purchases or reservations, may be served and executed thereon in the same mode and manner and by the same officers as if the consent herein given had not been made.

(Act approved January 23, 1890. Pierce's Washington Code, 1905, sec. 8900.

"SECTION 1. That the consent of the State of Washington be, and the same is hereby, given to the acquisition, by purchase or by condemnation, under the laws of this State relating to the appropriation of private property to public uses, by the United States of America, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of this State, for the sites of locks, dams, piers, breakwaters, keepers' dwellings, and other necessary structures and purposes required in the improvement of the rivers and harbors of this State or bordering thereon, or for the sites of forts, magazines, arsenals, docks, navy-yards, naval stations, or other needful buildings authorized by any act of Congress, and all deeds, conveyances of title papers for the same shall be recorded, as in other cases, upon the land records of the County in which the land so acquired may lie, and in like manner may be recorded a sufficient description by metes and bounds, courses and distances, of any tract or tracts, legal divisions or subdivisions of any public land belonging to the United States which may be set apart by the general government for any or either of the purposes before mentioned by an order, patent, or other official document or papers describing such land; the consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided, and the jurisdiction of this State is hereby ceded to the United States of America over all such land or lands as may have been or may be hereafter acquired by purchase or by condemnation, or set apart by the general government for any or either of the purposes before mentioned: *Provided*, That this State shall retain a concurrent jurisdiction with the United States in and over all tracts so acquired or set apart as aforesaid, so far as that all civil and criminal process that may issue under the authority of this State against any person or persons charged with crimes committed, or for any cause of action or suit accruing without the bounds of any such tract, may be executed therein in the same manner and with like effect as though this consent and cession had not been granted.

"SEC. 2. The tracts, pieces or parcels of land so acquired or set apart, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Washington." (Act approved February 24, 1891. Pierce's Washington Code, 1905, sec. 8901–2.)

"SECTION 1. The consent of the State of Washington is hereby given to the exercise by the Congress of the United States of exclusive legislation in all cases whatsoever over such tract or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, light-houses, and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the Constitution of the United States; *provided*, that a sufficient description by metes and bounds, and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the County in which the same is situated, together with copies of the orders, deeds, patents, or other evidences in writing of the title of the United States; *and provided*, that all civil process issued from the courts of this State, and such

criminal process as may issue under the authority of this State, against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon in the same mode and manner and by the same officers as if the consent herein given had not been made." (Section 1 of Article 25 of the Constitution of the State of Washington.)

GENERAL GRANT OF ADJACENT TIDE LANDS.

"SECTION 1. That the use of any tide-lands belonging to the State of Washington, and adjoining and bordering on any tract, piece or parcel of land held or reserved by the government of the United States for the purpose of erecting and maintaining thereon forts, magazines, arsenals, dock yards and other needful buildings, be and the same is hereby granted to the United States so long as the upland adjoining such tide-lands shall continue to be held by the government of the United States for any of the public purposes above mentioned. Provided, That this grant shall not extend to include any lands covered by more than four fathoms of water at ordinary low tide: And provided further, That whenever the government of the United States shall cease to hold for public purposes any such tract, piece or parcel of land, the use of the tide-lands bordering thereon shall revert to the State of Washington." (Act approved March 20, 1890. Pierce's Washington Code, 1905, sec. 8903.)

FORT CANBY (CAPE DISAPPOINTMENT).

This reservation contains an area of about 588.20 acres, is situated in Pacific County, and includes all the land on Cape Disappointment (also called Cape Hancock) on the northern side of the mouth of the Columbia River, lying south of an east and west subdivisional line, which line lies 20 chains south of the Township line between Townships 9 and 10, North of Range 11 West, Willamette Meridian. The Light-House reservation (embraced within these limits), set apart by the President December 27, 1859, includes the whole of Lot No. 4, Section 9, of said Township, and contains 48 acres, which being deducted leaves the military reservation as first above stated. March 7, 1895, the Secretary of War approved the request that the Treasury Department be permitted to use a tract 100 feet square for life-saving purposes. The title is as follows:

Forming a part of the public domain, it was reserved and set apart for military purposes by Executive Order dated February 26, 1852, afterwards modified by order dated January 15, 1863. Name of post changed from "Fort Cape Disappointment" to "Fort Canby" by G. O. No. 5, A. G. O., January 28, 1875.

Jurisdiction was ceded to the United States by Section 1 of Article 25 of the Constitution of the State of Washington, as set out under the title "General Acts of Cession."

CANOE ISLAND.

This reservation contains an area of 43.10 acres, and is situated in San Juan County, in the Haro Archipelago, in what is called Upright Channel. The reservation includes the whole Island, its boundaries

being limited by the meanderings or indentations of the shore line at mean low-water mark. The title is as follows:

Formerly a part of the public domain, it was reserved and set apart for military purposes by Executive Order dated July 2, 1875.

For jurisdiction see Section 1, Article 25, Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under the title " General Acts of Cession."

See *Lopez Island* for license to Inter-Island Telephone Company.

FORT CASEY.

This reservation contains an area of approximately 476 acres, including the additions for water supply. It is situated on Admiralty Head, along the waters of Admiralty Inlet, in Island County.

The title is as follows:

1. Deed from John C. Kellogg, et al., dated March 9, 1897, conveying 10 acres. Recorded in Vol. 20, page 171, etc., of the deed records of Island County. The above deed being for the purpose of correcting error in previous deed to same property, dated December 24, 1858.

The above 10 acres were transferred by the Treasury Department, on July 31, 1899, in exchange for two parcels of land, parts of the Fort Casey Reservation, aggregating 2.58 acres, and a right of way to and from said tracts. Transfer made pursuant to Act of Congress, approved March 3, 1899. On September 13, 1902, one of the tracts above mentioned, being a square of 150 feet, was transferred back by the Treasury Department, in exchange for another parcel of approximately the same area.

2. Deed from John C. Kellogg, dated April 20, 1897, conveying 123 acres. Recorded in Vol. 20, page 119, of same records. The purchase of the above tract was authorized by the Secretary of War, October 26, 1896.

3. Deed from Albert H. Kellogg and wife, dated January 18, 1899, conveying 27 acres. Recorded in Vol. 20, page 279, of same records.

4. Decree of Condemnation for 221.55 acres, in a cause entitled "The United States *v.* Susan H. Hancock et al.," in the United States District Court for the District of Washington. Rendered July 30, 1901, and filed in the Clerk's Office of said Court, August 3, 1901.

Additions for water supply.

5. A tract of 66 acres, for purposes of water supply, located in Section 6, Township 30 North, and Section 31, Township 31 North, both in Range 2 East, was acquired by decree of the United States District Court, for the District of Washington, rendered August 18, 1903; recorded in volume 17, page 564, *et seq.*, Misc. Records of Island County.

The following deeds cover right of way for water pipe-line from said tract to the main reservation:

1. Deed from Christian Kaehler and wife, dated August 18, 1903. Recorded in vol. 21, pages 431–432, Deed Records of Island County.

2. Deed from Alexander Rosenfield and wife, dated August 24, 1903. Recorded in vol. 21, pages 488–489, same records.

3. Deed from Elizabeth Trenholm, widow, dated August 27, 1903. Recorded in vol. 21, pages 434–435, same records.

4. Deed from Rosalie L. Morris and husband, dated August 29, 1903. Recorded in vol. 21, page 443, same records.

5. Deed from Howard B. Lovejoy and wife, dated September 19, 1903. Recorded in vol. 21, pages 441–442, same records.

6. Deed from J. A. Baker, et al., dated September 19, 1903. Recorded in vol. 21, pages 440–441, same records.

7. Deed from Board of County Commissioners of Island County, dated October 8, 1903. Recorded in vol. 21, page 436, same records.

8. Deed from W. St. George Elliott and wife, dated October 17, 1903. Recorded in vol. 21, pages 433–434, same records.

9. Deed from The Kineth Company, dated August 25, 1903. Recorded in vol. 23, page 26, Misc. Records.

10. Deed from Matilla L. Crockett, et al., dated August 3, 1904. Recorded in vol. 21, page 538, deed records.

B. Deed from William Hampton and wife, dated October 26, 1904, conveying 30.88 acres in section 14, township 31 north, range 1 east. Recorded in vol. 19, page 434, of same records.

2. Deed from William Hampton and wife, dated January 31, 1906, covering sewer and drain, in consideration of license, dated January 9, 1906, for water supply from the Government water main—the easement to terminate in the event of the revocation of the license.

Jurisdiction was ceded to the United States by Acts of the State Legislature approved January 23, 1890, and February 24, 1891, as set out under the title " General Acts of Cession."

Revocable Licenses: License, June 18, 1900, to Sunset Telephone Company to plant telephone poles within the limits of the reservation.

License, January 9, 1906, to William Hampton for water main connecting his residence with Government supply and to use sufficient water for household purposes. See deed from William Hampton, *ante.*

CHALLAM POINT.

This reservation is situated in Jefferson County, in Township 30 North, Range 2 West, on the west side of the entrance to Port Discovery.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 547.7 acres.

For jurisdiction see Section 1, Article 25, Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title " General Acts of Cession."

CHALLAM POINT.

(Land opposite to.)

This reservation is situated in Jefferson County, in Township 30 North, Ranges 1 and 2 West, opposite Challam Point on the east side of the entrance to Port Discovery.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 302.75 acres.

For jurisdiction see Section 1, Article 25, Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

FORT COLUMBIA.

This reservation contains an area of 729.35 acres, and is situated at Chinook Point, in Pacific County, on the north bank of the Columbia River, being a part of Sections 15, 16, 17, 21 and 22, in Township 9 North, Range 10 West. The title is as follows:

1. Deed from Henry K. Stevens, Administrator, etc., dated May 24, 1864, conveying 643.2 acres. Recorded in Book B, folio 168, etc., of the deed records of Pacific County.

2. Quit-Claim Deed from Solomon B. Preble and Mary Preble, his wife, dated March 7, 1864, releasing right of dower held by Mary Preble as widow of Rocque Ducheney. Recorded in Book B, page 170, etc., of same records.

3. Deed from the Northern Pacific Railroad Company, dated July 31, 1899, conveying Lots 1 and 2 of sec. 15, and Lot 4 of sec. 21, containing 53.15 acres. Recorded in Book 34, page 209, etc., of same records.

4. Executive Order dated May 8, 1899, setting apart for military purposes, Lot 9, sec. 22, containing 33 acres.

For jurisdiction see Act of the State Legislature approved January 23, 1890, as set out under title "General Acts of Cession."

Revocable Licenses: License, September 7, 1904, to Lum On to conduct a laundry upon the reservation, formerly conducted by him under permission of the post commander.

License, September 7, 1904, to Lee Sam to conduct business of gardening and collecting garbage upon the reservation, which privilege was formerly granted him by the post commander.

License, August 8, 1905, to the Sunset Telephone Company covering use of two cores of cable between Forts Stevens and Columbia.

DECEPTION PASS.

(North side of.)

This reservation is situated on Fidalgo Island, in Island County, in Township 34 North, Range 1 East, north of the entrance to the pass, and includes the two islands in the pass.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 550 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and the act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

Revocable License: License, March 10, 1898, to T. J. R. Giles, keeper of the stake light, to use for agricultural purposes a small parcel of land (about 1½ acres) now under fence, in the northwest corner of the reservation.

DECEPTION PASS.

(South side of.)

This reservation is situated on Whidbey's Island in Island County, in Township 34 North, Range 2 East, south of the entrance to the pass.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 630 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see Section 1, Article 25, of the State Constitution of Washington, and the act of the State Legislature approved February 24, 1891, for which see "General Acts of Cession."

DOUBLE BLUFF.

This reservation is situated on the southern shore of Whidbey's Island, in Island County, being fractional sections 26, 27, 28, and Lots 4 and 5, Section 22, of Township 29 North, Range 2 East, opposite Foulweather Point.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. June 3, 1871, by final designation by the War Department the area was reduced to 633.3 acres, and afterward to 626.25 acres. It is possible that this later area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under the title "General Acts of Cession."

FORT FLAGLER.

This reservation contains 880 acres, and certain tide lands, situated at Marrowstone Point, in Jefferson County. The title is as follows:

1. It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department, the area was reduced to 590 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

2. In addition to the above, the N. ½ of the SW. ¼ of Section 17, and that part of Lot 6 of Section 18, Township 30 North, Range 1 East, Willamette Meridian, not embraced in the order of September 22, 1866, was, by Executive Order dated November 14, 1896, added to the Marrowstone Point Reservation, the addition being estimated as containing an area of 58 acres.

3. Deed from George Pitman and wife, dated November 24, 1896, conveying the SE. ¼ of SW. ¼ and the E. ½ of the SW. ¼ of the SW. ¼ of Section 17, Township 30 North, Range 1 East, containing 60 acres. Recorded in Vol. 36, page 228, of the deed records of Jefferson County.

4. Deed from Ann D. Starrett and husband, et al., dated July 2, 1897, conveying Lots 3 and 4 and SW. ¼ of NE. ¼ and W. ½ of SE. ¼ of Section 17, Township 30 North, Range 1 East, containing 172 acres of land. Recorded in Vol. 47, page 271, of same records. Deed made in accordance with a Decree of Condemnation for said land in the United States Circuit Court for the District of Washington, Northern Division, wherein the United States, etc., were plaintiffs and Ann D. Starrett et al. were defendants. Decree made final June 2, 1897, and filed with the record in the Clerk's Office of said Court.

5. Deed from the State of Washington, dated February 16, 1899, conveying two tracts of tide lands. Recorded in Book 48, page 255, of same county records.

Above conveyance made in accordance with the provisions of an act of the State Legislature, approved March 20, 1890, under title "General Grant of Adjacent Tide Lands."

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

Revocable Licenses: License, September 6, 1904, to Carl Troiel to occupy a small log building upon the reservation, heretofore occupied under permission from the post commander, for residential and post-office purposes.

License, September 6, 1904, to D. B. Weatherbe to occupy as a residence, the house erected by him upon the reservation.

License, September 6, 1904, to Charley Munn to conduct laundry business upon the reservation heretofore conducted under permission of the post commander.

License, April 7, 1906, to The Sunset Telephone and Telegraph Company for telephone line for private telephone service.

FOULWEATHER POINT.

This reservation is situated in Kitsap County, on the east side of the entrance to Hoods Canal, in Township 28 North, Ranges 1 and 2 East.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres, if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 485.5 acres.

For jurisdiction see Section 1, Article 25, Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

GIG HARBOR.

This reservation contains 77.80 acres, and comprises Lots 5 and 6 of section 5, and Lot 1 of Section 8, Township 21 North, Range 2 East of the Willamette Meridian, containing valuable sand and gravel deposits. It was set apart for military purposes by Executive Order, dated April 3, 1901.

For jurisdiction see General Acts of Cession.

Lease of Gates Lot, dated March 10, 1906, to Phil. Brautigam and wife, said lot containing ten acres, and situated in the northwest corner of said reservation.

GOOSE ISLAND.

This reservation contains 4 acres and includes the whole of the small island of that name lying in the Strait of San Juan de Fuca, off the southeastern point of San Juan Island, in the South-East quarter of the North-East quarter of Section 8, Township 34, Range 2 West, Willamette Meridian, in San Juan County. The title is as follows:

Formerly a part of the public domain, it was reserved and set apart for military purposes by Executive Order dated January 9, 1889.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under the title "General Acts of Cession."

HOODS HEAD.

This reservation is situated in Kitsap County, on the west side of the entrance to Hoods Canal, in Township 28 North, Range 1 East.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 614.25 acres. The present area is 43.25 acres.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under the title "General Acts of Cession."

HOPE ISLAND.

This reservation comprises two small islands east of Deception Pass in Township 34 North, Range 2 East of the Willamette Meridian, and contains a combined area of 200 acres. It was set apart and declared a military reservation by Executive Order, dated September 22, 1866.

For jurisdiction see "General Acts of Cession."

KITSAP COUNTY.

(Lands in.)

This reservation has an area of 385.25 acres and includes Middle Point and Orchard Point and abutting tide lands at the entrance to Port Orchard. Rich's passage, a small bay of about 1 mile in width, separates the above tract from Fort Ward, which was acquired by the United States at the same time. The title is as follows.

Decree of Condemnation for 715.75 acres, including tide-lands, in cause No. 1348, entitled "The United States *v.* Annie Tennant, et al.," in the United States District Court for the District of Washington. Rendered April 1, 1899, and filed the same day in the Clerk's Office of said Court.

Jurisdiction over the tide lands was ceded by an Act of the State Legislature, approved March 20, 1890. For general jurisdiction see act of February 24, 1891, as set out under title "General Acts of Cession."

FORT LAWTON.

This reservation contains an area of 640 acres, and is situated at Magnolia Bluff, near the city of Seattle. The title is as follows:

1. Deed from John Sullivan, dated October 14, 1896, conveying 160 acres. Recorded in Vol. 215, page 240, of the deed records of King County.
2. Deed from the State of Washington, dated June 2, 1897, conveying certain tide lands. Recorded in Vol. 221, page 273, of same records.
3. Deed from Christian Scheuerman and wife, dated June 14, 1897, conveying 1.51 acres. Recorded in Vol. 222, page 349, of same records.
4. Deed from Anna Sophia Brygger, dated June 26, 1897, conveying a strip of land for a roadway. Recorded in Vol. 222, page 358, of same records.
5. Deed from Ole Schillestad and wife, dated June 26, 1897, conveying a strip of land for a roadway. Recorded in Vol. 222, page 361, of same records.
6. Deed from Gustaf Anderson, dated June 26, 1897, conveying a strip of land for a roadway. Recorded in Vol. 222, page 363, of same records.
7. Deed from C. F. Anderson and wife, dated June 26, 1897, conveying a strip of land for a roadway. Recorded in Vol. 222, page 365, of same records.
8. Deed from Thomas W. Prosch and wife, dated June 29, 1897, conveying ten tracts of land, containing in the aggregate 310.87 acres. Recorded in Vol. 222, page 352, of same records.
9. Deed from Thomas W. Prosch and wife, dated June 29, 1897, conveying 20.1 acres. Recorded in Vol. 222, page 355, of same records.
10. Quit-Claim Deed from The Smith Cove Land Company, dated July 15, 1897, conveying a strip of land for a roadway. Recorded in Vol. 220, page 358, of same records.
11. Deed from the State of Washington, dated July 17, 1897, conveying certain tide lands. Recorded in Vol. 220, page 357, of same records.
12. Deed from Albert T. Bornan, dated July 26, 1897, conveying 2.50 acres. Recorded in Vol. 155, page 280, of same records. The above deed was executed for the purpose of correcting the name of the grantee in a previous deed by the same party, dated July 22, 1897.
13. Deed from King County, dated July 29, 1897, conveying several tracts of land, containing in the aggregate 150.40 acres. Recorded in Vol. 220, page 435, of same records. The above deed was executed for the purpose of correcting the name of the grantee in a previous deed by the same party, dated July 19, 1897.
14. Deed from Lena Graham, dated July 28, 1897, conveying 2.41 acres. Recorded in Vol. 215, page 340, of same records.

15. Deed from Lena Graham, dated July 28, 1897, conveying 3.05 acres. Recorded in Vol. 222, page 467, of same rceords.

16. Deed from Sussanne Scheuerman, dated July 28, 1897, conveying 10.73 acres. Recorded in Vol. 222, page 464, of same records.

17. Deed from Anna E. Ellicott, dated July 31, 1897, conveying a tract of 31.18 acres, excepting therefrom a tract of 5 acres previously conveyed for light-house purposes. Recorded in Vol. 219, page 309, of same records.

18. Deed from Catharine Scheuerman, dated July 31, 1897, conveying 10.97 acres. Recorded in Vol. 215, page 339, of same records.

19. Deed from Mary Jenott, dated August 3, 1897, conveying 7.68 acres. Recorded in Vol. 222, page 461, of same records.

20. Quit-Claim Deed from Thomas W. Prosch and wife, dated August 4, 1897, conveying the undivided $\frac{1}{10}$ of lots 1 and 2, sec. 9, T. 25 N., R. 3 E. of the Willamette Meridian. Recorded in Vol. 204, page 413, of same records.

21. Deed from Bertha Bradowich and husband, dated August 5, 1897, conveying 5.45 acres. Recorded in Vol. 220, page 429, of same records.

22. Deed from Horace D. Chapin, dated August 19, 1897, conveying a strip of land for a roadway. Recorded in Vol. 221, page 490, of same records.

23. Deed from Joseph Bradowich and wife, dated September 4, 1897, conveying 0.25 acre. Recorded in Vol. 190, page 295, of same records.

24. Deed from Christian Scheuerman and wife, dated September 7, 1897, conveying 1.51 acres. The above deed modifies deed from same parties, (numbered 3, supra) in respect to the privilege of turning aside and diverting a certain creek to prevent its flowing over the lands conveyed. Recorded in Vol. 222, page 432, of same records.

25. Quit-Claim Deed from John B. Allen and wife, et al., dated September 11, 1897, conveying the S. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of sec. 10, in T. 25 N., R. 3 E. of the Willamette Meridian. Recorded in Vol. 224, page 612, of same records.

26. Deed from Christian Scheuerman, dated January 28, 1898, conveying 1.51 acres. Recorded in Vol. 221, page 629, of same records. The above deed takes the place of deeds numbered 3 and 24, supra.

27. Deed from King County, dated February 17, 1898, conveying certain land therein described. Recorded in Vol. 221, page 633, of same records.

Title to the tide lands was ceded by an act of the State Legislature, approved March 20, 1890, under "General Grant of Adjacent Tide Lands."

For jurisdiction see "General Acts of Cession."

Revocable Licenses: License, October 10, 1903, to The Seattle Electric Company to construct and operate an extension to its electric street railway system on the reservation.

License, November 16, 1904, to The Seattle Electric Company for extension of its electric railway upon the reservation, and the Government road leading thereto.

License, December 5, 1905, to Independent Telephone Company for telephone line—using, in part, the poles of The Seattle Electric Company.

LOPEZ ISLAND.

(Northwest portion.)

This reservation contains an area of 634.60 acres, and is situated in San Juan County, in Townships 35 and 36 North, Range 2 West, extending between and including within its limits both Flat Point and Upright Point. Was set apart from the public domain and declared a reservation for military purposes by Executive Order dated July 2, 1875.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and Act of February 24, 1891, under title "General Acts of Cession."

Lease: May 20, 1905, of the entire reservation for five years, from June 1, 1905, to Ben Lichtenberg, for pasturage and general farming purposes.

LOPEZ ISLAND.

(Southwest portion.)

This reservation contains an area of 677.28 acres and is situated in San Juan County, in Township 34 North, Range 2 West, directly opposite the southeast point of San Juan Island, and includes Bunch Island and Whale Rocks. Was set apart from the public domain and declared a reservation for military purposes by Executive Order dated July 2, 1875.

For jurisdiction see Section 1, Article 25, Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

Lease: The reservation was leased for 5 years, January 19, 1904, to Henry C. Bartlett, for grazing and agricultural purposes.

License, July 8, 1905, to Inter-Island Telephone Company, for telephone line across military reservations on Lopez, Canoe and Shaw Islands, and for cable between Lopez and Shaw Islands.

NEE-AH HARBOR.

(East side of.)

This reservation contains an area of 398.5 acres, and is situated in Clallam County on the east side of Nee-ah Harbor, near the strait of Juan De Fuca.

As part of the public domain it was set apart and declared a reservation for military purposes by Executive Order dated June 9, 1868.

For jurisdiction see Section 1, Article 25 of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

NEE-AH HARBOR.

(West side of.)

This reservation contains 381.25 acres, and is situated in Clallam County on the west side of Nee-ah Harbor, near the strait of Juan De Fuca.

As a part of the public domain it was set apart and declared a military reservation by Executive Order dated June 9, 1868.

For jurisdiction see Section 1, Article 25 of Constitution of State of Washington, and act of the State Legislature approved February 24, 1891, under the title "General Acts of Cession."

NEW DUNGENESS HARBOR.

(Lands on north side of.)

This reservation is situated in Clallam County, in Township 31 North, Range 4 West, on the north side of New Dungeness Harbor, embracing all the peninsula to its junction with the mainland.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 258.63 acres.

For jurisdiction see Section 1, Article 25 of Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under the title "General Acts of Cession."

NEW DUNGENESS HARBOR.

(Lands on south side of.)

This reservation is situated in Clallam County, in Township 31 North, Ranges 3 and 4 West, on the south side of New Dungeness Harbor.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 628 acres.

The present area not occupied by private parties appears to be about 22.75 acres.

For jurisdiction see Section 1, Article 25 of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under the title "General Acts of Cession."

POINT DEFIANCE.

This reservation contains an area of about 637.9 acres and is situated in Pierce County, at the narrows of Puget Sound, on the east of Commencement Bay.

Taken from the public domain and declared a reservation for military purposes by Executive Order dated September 22, 1866, which order reserved 640 acres should the title be found to be in the United States. Upon final designation by the War Department the area was reduced to 637.9 acres.

For jurisdiction see Section 1, Article 25 of the Constitution of the State of Washington, and act of the State Legislature approved February 24, 1891, under title "General Acts of Cession."

By Act of Congress, approved March 3, 1905 (33 Stat. L., 1013), this reservation was granted to the City of Tacoma, Washington, for a public park, subject to the right of the United States to use the

same for military, naval, or light-house purposes, without liability for damages or compensation because of such use—said Act providing further: "That if said lands shall not be used as a public park, the same or such parts thereof not so used, shall revert to the United States."

POINT HUDSON.

This reservation is situated at the entrance to Port Townsend. By Executive Order, dated September 22, 1866, 640 acres were set apart and declared for military purposes. The portion not covered by perfected land claims appears to be about 0.10 acre.

For jurisdiction see General Acts of Cession.

PORT MADISON—(AGATE PASSAGE).

This reservation contains about 70.50 acres, situate on Agate Passage to Port Orchard, in Kitsap County, Washington, comprising that portion of the Port Madison Indian Reservation designated as Lots 4 and 5 of Section 21, and Lots 1 and 2 of Section 28, Township 26 north, Range 2 east, Willamette Meridian.

Title was acquired by conveyances from certain Indians, pursuant to agreement ratified by Congress on March 3, 1905 (33 Stat. L., 1078); said conveyances being recorded in the Auditor's Office of Kitsap County, Washington, in Deed Book 43, pages 764, 766, 768 and 769; and by order of the President, dated July 29, 1905, the lands were formally reserved for military purposes; and a description thereof is published in G. O. No. 130, War Dept., Aug. 5, 1905.

For jurisdiction, see General Acts of Cession.

License, August 17, 1904, to Postal Telegraph-Cable Company to reconstruct its line through the reservation.

PROTECTION ISLAND.

(Land opposite to.)

This reservation is situated in Jefferson County, in Township 30 North, Range 1 West, opposite to Protection Island.

It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 354.25 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see General Acts of Cession.

SAN JUAN ISLAND.

(Northeast point of.)

This reservation contains an area of 484.31 acres, and is situated in San Juan County in Sections 1, 2, 11, 12 and 13, in Township 35 North, Range 3 West, and includes Point Caution.

Forming a part of the public domain it was declared and set apart as a military reservation by Executive Order, dated July 2, 1875. This order reserved 640 acres, but the title to so much not found to be

in the United States at date of order, the area was designated by the War Department as above noted.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title "General Acts of Cession."

Lease: Lease for five years, December 13, 1902, to C. L. Carter of the military reservation at Point Caution, containing 480 acres.

License, October 24, 1904, to International Telephone Company for telephone line.

SAN JUAN ISLAND.

(Southeast point of.)

This reservation contains an area of about 640 acres, and is situated on San Juan Island in Township 34 North, Range 2 West, Willamette Meridian, and includes Cattle Point, Rocky Peninsula, Neck Point, and Mount Finlayson.

Forming a part of the public domain it was declared and set apart as a military reservation by Executive Order, dated July 2, 1875. This order was afterwards amended by order dated March 20, 1889, which last order was amended by the Executive May 20, 1889, so as to embrace Lot 1 of Section 5; Lots 4, 5, 6, 7, 8, 9 and 12, SW. ¼ of NE. ¼ and SE. ¼ of NE. ¼ of Section 7; and Lots 1, 2, 3, 4, 5, 6 and 7, and SW. ¼ of NW. ¼, and the SE. ¼ of the NW. ¼ of Section 8 of the above Township and Range, with the area above stated.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title "General Acts of Cession."

Lease: Lease for 5 years, January 19, 1906, to Mrs. George Jackle, of the above reservation.

SHAW ISLAND.

(Eastern side of.)

This reservation contains an area of 594.9 acres, and is situated in San Juan County, in Township 36 North, Range 2 West. It was set apart from the public domain and reserved for military purposes by Executive Order, dated July 2, 1875. This order reserved 640 acres, but the title to so much not found to be in the United States at the date of the order, the area was designated by the War Department as above stated.

For jurisdiction see Section 1, Article 25, of Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under the title "General Acts of Cession."

SHAW ISLAND.

(Western side of.)

This reservation contains an area of 508.43 acres and is situated in San Juan County, in Township 36 North, Range 2 West, and includes George Point and Neck Point on the western shore of the Island. It was set apart from the public domain and reserved for military purposes by Executive Order, dated July 2, 1875. This

order reserved 640 acres, but the title to so much not found to be in the United States at the date of the order, the area was designated by the War Department as above stated.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

Revocable Licenses: License, October 24, 1904, to International Telephone Company for telephone line.

License, June 28, 1905, to Friday Harbor Lumber and Manufacturing Company for logging road; limited to expire in two years.

See Lopez Island for license to Inter-Island Telephone Company.

FORT SPOKANE.

(Old site.)

This reservation contains an area of 640 acres, and is situated in Township 28 North, Range 36 East, in Lincoln County. As a part of the public domain it was set apart and declared a military reservation by Executive Order, dated January 12, 1882, which was afterwards modified by Order, dated November 17, 1887, excepting from reservation all lands within the limits described heretofore granted, entered upon by settlers, or in any way reserved.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

Under authority of Act of Congress approved July 31, 1882 (22 Stats. L., p. 181), the reservation was turned over to the custody and control of the Secretary of the Interior Department, August 28, 1899, for Indian school purposes, so long as it may not be required for military occupation.

SUCIA ISLANDS.

This reservation contains an area of 377.4 acres, and is situated in San Juan County, in the Gulf of Georgia, being approximately in Sections 23, 24, 25 and 26, of Township 38 North, Range 2 West, Willamette Meridian. The Islands were originally reserved by Executive Order, dated July 13, 1892, for Light-House purposes, which order was canceled by order dated March 4, 1896, and excepting lands embraced within two permanent locations for light-house purposes, the Islands were reserved for military purposes. By a later order, dated December 12, 1896, the Executive turned over to the Interior Department, under authority of the act of Congress approved July 5, 1884, all the land embraced in the mineral application No. 97, known as the " Sucia Island Stone Mine," reducing the area to the acreage as stated above.

For jurisdiction, see act of the State Legislature, approved February 24, 1891, under the title " General Acts of Cession."

TALA POINT.

This reservation is situated in Kitsap County, on the west side of the entrance to Hood's Canal and southwest from Double Bluff Military Reservation, in Township 28 North, Range 1 East. It was

declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 615.25 acres. The present area appears to be about 162.25 acres.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

THREE TREE POINT.

This reservation contains an area of 640 acres, and is situated in Wahkiakum County, in Township 9 North, Range 7 West, on the right bank of the Columbia River, nearly opposite the east end of Wood Island. Forming part of the public domain, it was set apart and reserved for military purposes by Executive Order dated July 31, 1865.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

Revocable Licenses: License, December —, 1897, to D. R. Jones to construct a logging road across the reservation.

License, June 22, 1901, to the Crown Paper Company to construct a skid or logging road across the reservation.

FORT TOWNSEND.

This reservation contains 615.10 acres, and is situated on the west side of Port Townsend Bay, about 3 miles from Port Townsend, in Jefferson County.

The reservation was proclaimed by Executive Order, January 29, 1859. By Executive Order dated April 1, 1895, the reservation was turned over to the Interior Department, but on April 30, 1896, the order of disposition was revoked and rescinded by the President, and the tract was again set apart as a military reservation.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

Revocable License: License, July 15, 1904, to the Board of County Commissioners of Jefferson County to change the location of the existing county road across the reservation, the old road to remain open.

VANCOUVER BARRACKS.

This reservation contains an area of 639.54 acres, and is situated on the right bank of the Columbia River, 120 miles from its mouth and 5 miles west of its confluence with the Willamette River, in Clarke County.

A reserve 10 miles square was made here by an Order of the Secretary of War, dated January 29, 1848, and under that order Col. W. W. Loring, on behalf of the United States, by an order dated October 31, 1850, defined the limits of said reservation, including an area of about 16 square miles, subject to any and all valid claims of

the Hudson Bay Company and others, as provided for in the treaty between the United States and Great Britain, dated July 17, 1846. By instructions from the War Department, dated October 29, 1853, the area was reduced to 640 acres and the boundaries thereof published in General Orders, dated December 8, 1853, Headquarters, Fort Vancouver, Washington Territory. By an Order of the War Department, dated July 15, 1875, the boundaries of the reservation were again defined and published in General Orders No. 22, Headquarters Department of the Columbia, October 12, 1875, giving the area as first above set out, the reduction being the forty-six one hundredths of an acre set apart under an act of Congress approved August 14, 1848, to the Roman Catholic Mission of St. James. The action of the Secretary of War was confirmed by the President and published in Executive Order dated January 15, 1878.

By deed, dated April 8, 1905 (recorded in Book 58, page 435, records of deeds of Clarke County, Washington), the Bishop of Nesqually (Edward J. O'Dea), as trustee of the Mission of Saint James, released to the United States all claims of said Mission to the land embraced within the reservation, etc. (See Act of March 3, 1905—Private Act No. 1275—33 Stat. L., Part 2, page 2006.)

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

Easement: Act of Congress, approved March 3, 1903, authorized the Secretary of War to grant a right of way through the reservation to the Portland, Vancouver and Yakima Railway Company. Location approved by the Secretary of War, February 12, 1904.

Revocable Licenses: License, under authority of Act of Congress, approved January 19, 1877, to the Vancouver Water Company to lay water pipes through the reservation.

License, May 14, 1891, to the Columbia Land and Improvement Company to lay, maintain and use a line of underground water pipe across the reservation.

License, July 8, 1902, to the Vancouver Water Works Company to lay and maintain a 7-inch water main across the reservation.

License, dated April 5, 1906, to The Pacific States Telephone and Telegraph Co. for telephone system.

VANCOUVER POINT.

This reservation is situated in Jefferson County, in Townships 29 and 30 North, Range 2 West, on the west side of Port Discovery. It was declared by Executive Order, dated September 22, 1866. This order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department, the area was reduced to 603 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

VASHON ISLAND.

This reservation contains 487.4 acres and is situated near the city of Tacoma. A part of the public domain, it was reserved for military purposes by Executive Order, dated June 9, 1868.

For jurisdiction see General Acts of Cession.

WAADAH ISLAND.

This reservation contains an area of about 29 acres, and is situated in Clallam County, on the east side of Nee-ah Harbor, near the entrance to the strait of Juan De Fuca; was set apart from the public domain and declared a reservation for military purposes by Executive Order dated June 9, 1868.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title " General Acts of Cession."

FORT WALLA WALLA.

This reservation contains an area of 613.65 acres as announced in G. O. 184, W. D., Dec. 6, 1904. It is situated 1 mile from Walla Walla, in Walla Walla County, in Township 7 North, Range 36 West. This reservation was declared by Executive Order dated May 7, 1859. By an act of Congress approved February 24, 1871, the Secretary of War was authorized to transfer the reservation to the Secretary of the Interior for disposition. June 1, 1871, action in disposing of reservation was suspended upon request of the Secretary of War, owing to mistake in the act passed February 24, 1871. The Secretary of War, by an order dated July 16, 1872, in accordance with the act of Congress approved February 24, 1871, as amended by acts approved April 29, June 5, and June 8, 1872, transferred the reservation to the Interior Department. The Interior Department having turned over the reservation of Fort Walla Walla to the War Department, it was again announced as a reservation for military purposes by General Orders No. 24, Headquarters Department of the Columbia, August 25, 1873. October 26, 1875, the whole of the timber and part of the hay reservation was by the Secretary of War relinquished to the Interior Department.

May 3, 1880, the remainder of the hay reservation was relinquished, and also 20.428 acres of the military reservation, leaving the area as first above stated.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title of " General Acts of Cession."

Easements: Act of Congress, approved July 3, 1876, granted a right of way 100 feet in width through the reservation to the Walla Walla and Columbia River Railroad Company (now Oregon Railroad and Navigation Company). Location approved by the Secretary of War, February 28, 1882.

Permission, November 5, 1904, under section 6, Act of Congress, approved July 5, 1884 (23 Stat. L., 103), to Board of Commissioners, Wallla Walla County, to maintain a county road across the northern part of reservation.

Permission, April 26, 1905, under same statute, to same grantee for county road on the southern edge of reservation.

Revocable Licenses: License, April 28, 1900, to the Blalock Fruit Company to lay a vitrified clay pipe across the northwesterly corner of the reservation.

License, March 31, 1905, to Mr. John Dooley, to occupy a small parcel of land along the north boundary, for residential and agricultural purposes.

License, March 31, 1905, to Mr. Julius Landlich, to occupy a small parcel of land along the north boundary, for residential and agricultural purposes.

License, November 23, 1905, to Mr. R. Harras for sewer outlet from Government sewer, and to pipe the sewage therefrom to his land.

License, April 4, 1906, to the Pacific States Telephone and Telegraph Company for telephone system.

FORT WARD.

This reservation contains 330.50 acres, and is situated at Bean Point on the right side of Rich's Passage, a small bay of about 1 mile in width near Port Orchard, in Kitsap County.

For title and jurisdiction see "Lands in Kitsap County."

WASHINGTON HARBOR.

(East side of.)

This reservation is situated in Clallam County, in Township 30 North, Range 3 West, on the east side of the entrance to Washington Harbor. It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 424 acres, excluding lands embraced in donation claim of George H. Gerrish, per Executive Order of January 9, 1893.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title "General Acts of Cession."

WASHINGTON HARBOR.

(West side of.)

This reservation is situated in Clallam County, in Township 30 North, Range 3 West, on the west side of the entrance to Washington Harbor. It was declared by Executive Order dated September 22, 1886. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 614 acres. The present area appears to be about 475 acres.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title "General Acts of Cession."

Lease: The above tract was leased for 5 years, May 24, 1904, to H. J. Bugge.

WHIDBEYS ISLAND.

(North point of.)

This reservation is situated in Island County, in Township 34 North, Ranges 1 and 2 East, it being the most northerly point of the Island. It was declared by Executive Order dated September 22, 1866. The order reserved 640 acres if the title should be found to be in the United States. Upon final designation by the War Department the area was reduced to 606 acres. It is possible that this latter area may be still further reduced by excepting tracts found to have been disposed of prior to the date of the above order.

For jurisdiction see Section 1, Article 25, of the Constitution of the State of Washington, and act of the State Legislature, approved February 24, 1891, under title "General Acts of Cession."

FORT WORDEN.

This reservation, originally called Point Wilson, contains an area of 494.19 acres, and is situated in Jefferson County, at Port Townsend.

The title is as follows:

1. Deed from Francis W. James, dated April 14, 1897, conveying a tract of 2.06 acres in fractional Section 35, Township 31 North, Range 1 West. Recorded in Vol. 36, page 265, of the deed records in Jefferson County.

2. Deed from Samuel B. Harned, dated May 6, 1897, conveying Lot 3 of Section 35, Township 31 North, Range 1 West, containing 1.38 acres. Recorded in Vol. 36, page 263, of same records.

3. Deed from T. B. Wilcox and wife, dated June 5, 1897, conveying 3.60 acres in Lot 3 of fractional Section 35, Township 31 North, Range 1 West. Recorded in Vol. 36, page 264, of same records.

4. Deed from Louisa Stall, dated April 17, 1897, conveying Block 52 of the San Juan de Fuca addition to the City of Port Townsend. Recorded in Vol. 36, page 267, of same records.

5. Deed from Mary Thompson and husband, et al., dated June 14, 1897, conveying Block 42 in same addition, etc. Recorded in Vol. 47, page 295, of same records.

6. Deed from Walter C. Smith and wife, dated June 17, 1897, conveying Blocks 32 and 34 of same addition, etc. Recorded in Vol. 47, page 293, of same records.

7. Deed from the Starrett Estate Company, dated May 8, 1897, conveying Block 54, of same addition, etc. Recorded in Vol. 47, pages 366–367, of same records.

8. Deed from Mary J. Tucker and husband, dated June 16, 1897, conveying 6.05 acres. Recorded in Book 48, page 13, of same records.

9. Deed from the State of Washington, dated April 4, 1898, conveying certain tide lands. Recorded in Book 48, page 16, of same records.

10. Decree of condemnation for certain acreage and tide lands in cause No. 1169, entitled the "United States *v.* Charles Eisenbeis et al.," in the United States District Court, for the District of Washington, Northern Division. Rendered April 7, 1898 and filed in the Clerk's Office of said Court, June 28, 1898.

11. Decree of condemnation in a cause entitled the " United States *v.* Helen M. Freeman et al.," in the United States District Court, for the District of Washington, Northern Division. Rendered January 30, 1902, and filed the same day in the Clerk's Office of said Court.

For jurisdiction see Acts of the State Legislature approved January 23, 1890, and February 24, 1891, under the title " General Acts of

FORT WRIGHT.

This reservation contains an area of 1,022.80 acres, exclusive of the right of way of the Seattle, Lake Shore and Eastern Railroad, and also exclusive of the right of way of the St. Paul, Minneapolis and Manitoba Railroad (Great Northern), and is situated in Spokane County, near the City of Spokane.

The land was acquired under and by virtue of an Act of Congress, approved February 12, 1895. The title is as follows:

Deed from the Spokane and Eastern Trust Company, dated October 31, 1895, conveying by metes and bounds a tract containing the above acreage, after excepting the right of way for the two roads named. Recorded in Vol. 41, page 124, of the deed records of Spokane County.

For jurisdiction, see Acts of the State Legislature, approved January 23, 1890, and February 24, 1891, under the title " General Acts of Cession."

Easement: Act of Congress, approved March 2, 1897, granted a right of way through the reservation to the St. Paul, Minneapolis and Manitoba Railway Company. Location approved by the Secretary of War, March 3, 1897.

The public has an easement in a county road, extending across section 10 of the reservation, which existed prior to the acquisition of the tract for military purposes.

Revocable Licenses: June 12, 1905, to the Washington Water Power Company, for an electric railway.

License, January 12, 1907, to J. I. Middlesworth for steam laundry.

WEST VIRGINIA.

GENERAL ACT OF CESSION.

" 4. In pursuance of the seventeenth clause of the eighth section of the first article of the constitution of the United States, the consent of the Legislature of West Virginia is hereby given to the purchase or condemnation, whether heretofore or hereafter made or had by the government of the United States, or under its authority, of any tract or parcel of land within the limits of the State, for the purpose of erecting thereon light-houses, beacons, signal stations, post offices, custom houses, court houses, locks, dams, and works for the improvement of the navigation of any water course, and other needful buildings or structures. The evidences of title to such land shall be recorded as in other cases. But the quantity of land to be so acquired shall not exceed twenty-five acres in any one place.

" 5. The State of West Virginia reserves the right to execute process, civil or criminal, within the limits of any lot or parcel of land so acquired by the United States as aforesaid." (Chapter 20, Acts of 1881. Code of West Va., 1906, secs. 4 and 5.)

GRAFTON NATIONAL CEMETERY.

This reservation contains an area of 3.40 acres and is situated at Grafton, in Taylor County. The title is as follows:

1. Decree of Condemnation for the above property in Ex parte Jedediah W. Yates et al. in the District Court of the United States for the District of West Virginia. Rendered March 30, 1871, and filed with the record in said cause in the Clerk's Office of said Court at Clarksburg.

2. Deed from William D. Mackin and wife, et al., dated October 26, 1874, conveying above property. Recorded in Liber 12, folio 323, etc., of the deed records of Taylor County.

3. Deed from William D. Mackin and wife, et al., dated June 21, 1878, conveying a strip of land around the cemetery containing 6,994 square feet of ground. Recorded in Book 14, page 187, etc., of same records.

For jurisdiction see General Act of Cession.

WISCONSIN.

GENERAL ACT OF CESSION.

"SECTION 2. The consent of the legislature is hereby given to the purchase by the United States of any place or places within the state, for the erection of forts, magazines, arsenals, dockyards, or other needful buildings, under authority of any act of the Congress, upon condition precedent thereto, that application therefor, setting forth an exact description of the place so purchased, shall be made by an authorized officer of the United States to the governor, accompanied by a plat of such place, and proof that all conveyances necessary to the unincumbered title of the United States have been recorded in the office of the register of deeds of each county in which such place may be situated, and that the governor shall execute to the United States, in duplicate, under the great seal, a certificate of such consent and compliance with these provisions, which he shall in such case give, one of which to be delivered to such officer of the United States, and one filed with the secretary of state; and upon the further condition that the state shall forever retain concurrent jurisdiction over every such place to the extent that all legal and military process issued under the authority of the state may be executed anywhere on such place or in any building thereon, or any part thereof, and that any offense against the laws of the state, committed on such place, may be tried and punished by any competent court or magistrate of the state, to the same extent as if such place had not been purchased by the United States. The certificate of the governor shall be sufficient evidence of the consent of the legislature to such purchase upon the conditions aforesaid.

* * * * * * *

"SEC. 4. The state shall have concurrent jurisdiction over every place within its limits heretofore ceded to the United States, to the extent mentioned in section two respecting the execution of process and the punishment of crime, until the Congress shall exercise exclusive legislation over any such, which shall have been ceded without reservation. (Wisconsin Statutes, 1898, pp. 136, 138.)

FOREST HILL CEMETERY.

(Soldiers' lot.)

This reservation includes a certain burial lot known as the "Soldiers' Rest," in Section 29, in the "Forest Hill Cemetery," of the City of Madison, in Dane County. The title is as follows:

Deed from the City of Madison, dated June 18, 1866, conveying the above property. Recorded in Vol. 1, page 286, of the deed records of the Forest Hill Cemetery at Madison.

REST HOME CEMETERY.

(Soldiers' lot.)

This reservation comprises Lots numbered 5, 6, 7 and 8, in Block No. 5, of Section No. 24, in "Forest Home Cemetery," near the City of Milwaukee, and situated in the Town of Lake, fronting on the Plank Road leading from Milwaukee to Janesville, in Milwaukee County. The title is as follows:

Deed from The Rector, Wardens, and Vestrymen of St. Paul's Church in the City of Milwaukee, dated November 11, 1872, conveying the above property. Recorded in Vol. 129, page 121, etc., of the deed records of Milwaukee County.

FORT CRAWFORD MILITARY CEMETERY.

This cemetery is located in Block 13 of the Fort Crawford Military Tract in Prairie du Chien, Crawford County, Wisconsin. The title is as follows:

1. Deed from Catharine Lawler, dated December 31, 1904, conveying portions of Lots 7 and 8 of said block. Recorded in Vol. 74 of Deeds, page 157, in the Register's Office, Crawford County.

2. Deed from Theodore Martner and wife, dated January 4, 1905, conveying portions of lots 3 and 8 of said block. Recorded in same office, vol. 73 of Deeds, page 495.

Jurisdiction ceded over "suitable approach" by State act of June 19, 1905, providing as follows:

"SECTION 1. The consent of the state of Wisconsin is hereby given to the purchase, by the United States, of any tract or tracts of land in the city of Prairie du Chien, Crawford County, Wisconsin, for use as a suitable approach to the Fort Crawford Military Cemetery at Prairie du Chien under the provisions of an act of congress, approved March 3, 1905, and the state hereby cedes to the United States exclusive jurisdiction over such tract or tracts of land as shall be purchased for the purposes aforesaid, so long as the same shall remain the property of the United States, for all purposes except the service of civil or criminal process therein.

"SEC. 2. The lands aforesaid, when so purchased, shall hereafter be exempt from all taxes and assessments levied or imposed under authority of the state, so long as the same shall remain the property of the United States." (Chapter 440, Laws of 1905.)

MOUND CEMETERY.

(Soldiers' lot.)

This reservation comprises Lots 1, 5 and 6, in Block No. 18, in the "Mound Cemetery," near the City of Racine, in the County of Racine. The title is as follows:

Deed from the City of Racine, dated May 22, 1868, conveying the above property. Recorded in Book 55, page 245, of the deed records of Racine County.

PROTESTANT CEMETERY.

(Soldiers' lot.)

This reservation embraces a lot known as Block No. 62, in Prairie du Chien Land Company (addition) No. 1, at Prairie du Chien, in Crawford County. The title is as follows:

Deed from John S. Lockwood, Proprietor, dated June 18, 1866, conveying the above property. Recorded in Book 21, page 427, of the deed records of Crawford County.

ST. LOUIS RIVER MILITARY RESERVATION.

This reservation, situated in Douglas County at the mouth of the St. Louis River, on Lake Superior, as originally declared by Executive Order dated March 13, 1854, included fractional Sections 20, 27, 28 and 29, of Township 49 North, Range 13 West, of the Fourth Principal Meridian. It was at that date supposed to be unappropriated public land. Upon the recommendation of the War Department the President, by an order dated January 11, 1855, canceled the order of March 13, 1854, as to fractional Sections 27 and 29, leaving the reservation to consist of fractional sections 20 and 28. This was still further reduced by a decision of the Secretary of the Interior, dated September 21, 1893, in the case of the United States *v.* Joseph A. Bullen (involving a portion of said reservation), wherein the Honorable Secretary decided in favor of said Bullen, awarding him Lots 1 and 2 of fractional Section 28. The reservation as now held by the United States embraces fractional Section 20 and whatever is left of fractional section 28 after eliminating Lots 1 and 2.

WYOMING.

GENERAL ACT OF CESSION.

"SECTION 1. That exclusive jurisdiction be, and the same is, hereby ceded to the United States over and within all the territory owned by the United States, included within the limits of the United States military reservations known as Fort D. A. Russell, Fort McKinney and Fort Washakie, Camp Sheridan, and Camp Pilot Butte, and the United States Powder Depot at Cheyenne, together with such other lands in the State as may be now or hereafter acquired or held by the United States for military purposes, either as additions to the posts above named, or as new military posts or reservations, which may be established for the common defence, saving, however, to the

said State, the right to serve civil or criminal process within the limits of the aforesaid forts, camps and depot, in suits or prosecutions for, or on account of rights acquired, obligations incurred or crimes committed in said State, but outside of said cession and reservation, and saving further to said State the right to tax persons and corporations, their franchises and property, on said lands hereby ceded." (Approved February 17, 1893. Laws of Wyoming, 1893, p. 43. See, also, Revised Statutes of Wyoming, 1899, secs. 2657–2661.)

FORT D. A. RUSSELL.

This reservation contains an area of 6,892.64 acres, including the wood reserve (originally reserved for Forts Sanders, D. A. Russell, and Cheyenne Depot). The fort adjoins the City of Cheyenne, in Laramie County, and comprises part of Township 14 North, Range 67 West, and formerly contained 4,512 acres, set apart from the public domain and reserved for military purposes by Executive Order dated June 28, 1869. The wood reserve, containing about 2,540.64 acres, was set apart and reserved for military purposes by Executive Orders dated November 4, 1879, and February 25, 1880. The area of the reservation proper was reduced May 23, 1898, by the transfer to the State of Wyoming of 160 acres for the use of the State Agricultural and Industrial Exposition, under authority of Act of Congress, approved March 2, 1895. (See G. O. No. 22, War Department, January 30, 1907.)

The title to a right of way for conduit appears below:

1. Deed from Claus Sievers, dated June 26, 1903, conveying 0.854 acre, right of way for conduit. Recorded in Book 105, page 581, of the records of Laramie County.

2. Decree of Condemnation for 0.261 acre, for right of way for conduit, in a cause entitled "The United States *v.* Frank Ketcham and wife," in the Circuit Court of the United States, for the Eighth Judicial Circuit, District of Wyoming. Rendered July 25, 1903, and recorded in Book 88, page 482, of same records.

For jurisdiction see "General Act of Cession."

Easement: Pursuant to Act of Congress, approved June 30, 1886, the Secretary of War, August 20, 1886, approved the selection of a right of way 12 feet wide within the garrison and 100 feet wide beyond it, by the Cheyenne and Northern Railway Company.

Revocable Licenses: License, August 27, 1886, to the Board of County Commissioners of Laramie County to enter the reservation to maintain, repair and keep in good order the county wagon road commonly called the "Happy Jack" road, and to all persons to travel on said road across the reservation.

License, August 4, 1888, to Board of County Commissioners of Laramie County to construct a road 80 feet wide upon and along the east side of the reservation.

License, May 5, 1900, to Troop "A," Wyoming National Guard to use for pasturage purposes that portion of the reservation known as "Old Camp Carlin Pasturage."

License, March 23, 1905, to Rocky Mountain Bell Telephone Company to maintain and operate its telephone line.

License, March 23, 1905, to Postal Telegraph Cable Company, for line on poles of Rocky Mountain Bell Telephone Company.

FORT D. A. RUSSELL TARGET AND MANEUVER RESERVATION.

This reservation, containing approximately 36,800 acres, is situated in Albany County, about 30 miles west of Cheyenne. Originally set apart as a Forest Reserve by Executive Order, dated October 10, 1900, it was transferred to the War Department by Executive Order, dated October 9, 1903, for use as a rifle range for infantry and artillery.

For jurisdiction see General Act of Cession.

FORT MACKENZIE.

This reservation is situated near the city of Sheridan, in Sheridan County, and contains, approximately, 6,280 acres, as announced in G. O., No. 87, W. D., May 8, 1906. By Executive Orders dated November 2, and December 13, 1898, two tracts of land were set apart for military purposes. By Acts of the State Legislature, approved February 16, 1899, and February 13, 1901, additional tracts, aggregating 760 acres, and jurisdiction thereover were ceded to the United States—the latter act reserving "all rights appertaining to any irrigation ditch or ditches crossing" the lands granted thereby. Both acts cede jurisdiction in the following terms:

"That exclusive jurisdiction be, and the same is hereby, ceded to the United States of America, over and within the aforesaid described territory, saving, however, to this state the right to serve civil and criminal process within said territory in suits or prosecutions for, or on account of rights acquired, obligations incurred or crimes committed in said state, but outside of said cession; and saving further to the said state the right to tax persons and corporations, their franchises and property in said territory herein ceded."

(Laws of Wyoming, 1899, Chapter 24, page 53; and idem, 1901, Chapter 30, page 29.)

For jurisdiction over the tracts reserved, see General Act of Cession.

The right of way for a pipe line, and sewer privileges were granted by the following deeds:

1. Deed from William Clubb, dated September 9, 1901, conveying 0.44 acre, for right of way for pipe line. Recorded in Book J, page 523, of the deed records of Sheridan County.

2. Deed from Charles H. Reynolds, dated September 11, 1901, conveying 0.44 acre, for right of way for pipe line. Recorded in Book J, page 525, of same records.

3. Deed from Clement L. Spraclen, dated October 22, 1901, conveying 0.48 acre, for right of way for pipe line. Recorded in Book J, page 526, of same records.

4. Deed from Annie Loucks, dated October 22, 1901, conveying 0.34 acre, for right of way for pipe line. Recorded in Book J, page 524, of same records.

5. Agreement between Charles N. Dietz and the United States, concerning the location of sewer. Agreement dated April 16, 1902, and recorded in Book D, page 595, etc., of same records.

6. Deed from Charles N. Dietz, dated April 24, 1902, conveying a parcel of land 2,500 feet long and 10 feet wide, for right of way for pipe line. Recorded in Book J, page 606, of same records.

7. Agreement between Thomas L. Kimball and the United States,

concerning the location of sewer. Agreement dated April 26, 1902, and recorded in Book D, page 597, etc., of same records.

8. Ordinance from the town of Sheridan, dated November 2, 1903, granting the right to use certain amounts of water from Goose Creek.

9. Deed from Stella R. Crew, dated February 3, 1904, conveying right of way for pipe line. Recorded in Book N, page 460, of same records.

10. Deed from Samuel and Jennie Culberson, dated February 4, 1904, conveying right of way for pipe line. Recorded in Book N, page 452, of same records.

11. Deed from William and Catherine Timm, dated February 4, 1904, conveying right of way for pipe line. Recorded in Book —, page 461, of same records.

12. Deed from Levi and Louisa Beans, dated February 4, 1904, conveying right of way for pipe line. Recorded in Book N, pages 455 and 456, of same records.

13. Deed from C. P. and J. O. Ewoldsen, dated February 4, 1904, conveying right of way for pipe line. Recorded in Book N, page 458, of same records.

14. Deed from F. E. Loch and C. O. Reed, dated February 4, 1904, conveying right of way for pipe line. Recorded in Book N, page 462, of same records.

15. Deed from Henry A. Coffeen, dated February 13, 1904, conveying right of way for pipe line. Recorded in Book N, page 444 and 445, of same records.

16. Deed from B. F. and Rose H. Perkins, dated February 15, 1904, conveying right of way for pipe line. Recorded in Book N, page 467, of same records.

17. Deed from Henry A. Coffeen, dated February 17, 1904, conveying right of way for pipe line. Recorded in Book N, pages 445 and 446, of same records.

18. Deed from E. N. Secor, dated February 27, 1904, conveying right of way for pipe line. Recorded in Book N, page 453 and 454, of same records.

19. Deed from E. N. Secor, dated February 27, 1904, conveying a right of way for pipe line. Recorded in Book N, page 459, of same records.

20. Deed from J. Dana Adams, dated February 27, 1904, conveying a right of way for pipe line. Recorded in Book N, page 466, of same records.

21. Deed from L. E. and Nannie M. Harris, dated February 29, 1904, conveying a right of way for pipe line. Recorded in Book N, page 446 and 447, of same records.

22. Deed from Philip and Margaret Kane, dated February 27, 1904, conveying a right of way for pipe line. Recorded in Book N, page 447 and 448, of same records.

23. Deed from J. S. and Elizabeth T. Snodgrass, dated February 29, 1904, conveying right of way for pipe line. Recorded in Book N, page 449, of same records.

24. Deed from Philip and Margaret Kane, dated February 27, 1904, conveying right of way for pipe line. Recorded in Book N, page 450 and 451, of same records.

25. Deed from Melchi I. and Mattie E. Snively, dated February 29,

1904, conveying right of way for pipe line. Recorded in Book N, page 452 and 453, of same records.

26. Deed from W. and Atha Thompson, dated February 29, 1904, conveying right of way for pipe line. Recorded in Book N, page 454 and 455, of same records.

27. Deed from William and Catherine Timm, dated February 29, 1904, conveying right of way for pipe line. Recorded in Book N, page 456 and 457, of same records.

28. Deed from George W. and Hannah E. Garrett, dated February 29, 1904, conveying right of way for pipe line. Recorded in Book N, page 463, of same records.

29. Deed from John and Clementine Zingg, dated February 29, 1904, conveying right of way for pipe line. Recorded in Book N, page 472, of same records.

30. Deed from C. L. and Nellie Spracklen, dated February 27, 1904, conveying right of way for pipe line. Recorded in Book N, page 474 and 475, of same records.

31. Deed from Thirza A. Darling, dated March 1, 1904, conveying right of way for pipe line. Recorded in Book N, page 473 and 474, of same records.

32. Deed from the State of Wyoming, dated March 8, 1904, conveying right of way for pipe line. Recorded in Book N, page 470 and 472, of same records.

33. Deed from S. N. Hardee, dated April 2, 1904, conveying right of way for pipe line. Recorded in Book N, page 469, of same records.

34. Deed from Peter Nelson, dated April 20, 1904, conveying right of way for pipe line. Recorded in Book N. page 465, of same records.

35. Deed from C. B. Burrows, dated April 22, 1904, conveying right of way for pipe line. Recorded in Book N, page 464, of same records.

36. Deed from Jane M. Ferguson, dated April 21, 1904, conveying right of way for pipe line. Recorded in Book N, page 468, of same records.

For jurisdiction see General Act of Cession.

Easement: A county road, in existence before the establishing of the reservation, crosses the same from east to west.

Revocable Licenses: License, September 4, 1900, to The Burlington and Missouri River Railroad in Nebraska to lay and maintain a track to the storehouses on the reservation.

License, January 5, 1905, to Town of Sheridan for 8-inch water pipe connecting its water supply with 8-inch overflow from Government reservation, and to use surplus water.

MONUMENT SITE.

This reservation contains 0.75 acre, and is situated in Sheridan County. The State, by an Act, approved February 19, 1903, ceded the above tract to the United States, with jurisdiction thereover, to be used as a site for the erection of a monument to the memory of the soldiers who fought in the Fort Phil Kearney massacre. (Laws of Wyoming, 1903, p. 50.)

FORT FRED. STEELE.

(Cemetery.)

This reservation was formally turned over to the Interior Department, with the request that the Cemetery (containing about seventy bodies of soldiers) be reserved from sale until disposition can be made of the remains by removing them to a National Cemetery. (See War Department Circular dated August 12, 1886. See, also, Order of the Secretary of War dated November 19, 1886.) The Cemetery is situated in Carbon County, near the site of the post.

FORT WASHAKIE.

This reservation contains an area of about 2,630 acres, and is situated in Fremont County, on the Union Pacific Railroad. Forming a part of the Shoshone Indian Reservation, it was declared a military reservation and its limits defined by Executive Order dated May 21, 1887, with the following proviso:

"The use and occupancy of the land in question be subject to such right, title, and interest as the Indians have in and to the same, and that it be vacated whenever the interest of the Indians shall require it, upon notice to that effect to the Secretary of War."

By G. O. 95, A. G. O., May 18, 1899, Fort Washakie Military Reservation was restored to the Interior Dept. But by G. O. 101, June 3, 1899, this order was revoked.

By Executive Order, dated January 31, 1906, (G. O. No. 24, War Department, February 3, 1906), the reservation was modified to agree with a new survey of the same by 1st Lieut. James Huston, Tenth Cavalry, subject to the same provisos.

For cession of Jurisdiction see Fort D. A. Russell.

FORT YELLOWSTONE.

This reservation, formerly Camp Sheridan, contains an area of 28 acres, which includes 5.5 acres set apart for Hospital site. It is situated on Beaver Creek, 8 miles from Cinnabar, a station on Yellowstone Park line of Northern Pacific Railroad, within the limits of the Yellowstone National Park. The reservation of 22.5 acres was set aside by the Secretary of the Interior for use of military authorities February 27, 1891, and the additional reservation of 5.5 acres for Hospital site May 11, 1893.

Exclusive jurisdiction in the United States was reserved by Congress in establishing the Yellowstone National Park. (For act of the State of Wyoming ceding Jurisdiction to the United States see Fort D. A. Russell.)

CUBA.

GUANTANAMO BAY.

This reservation, declared by Executive Order, dated January 9, 1904, consists of three parts, within the limits of the naval station at Guantanamo Bay, which station was acquired by lease from the

Republic of Cuba, signed at Havana July 2, 1903, approved by the President October 2, 1903, ratified by the President of Cuba, August 17, 1903, and ratifications of which were exchanged at Washington, October 6, 1903.

Authority of the President to approve the above lease was conferred by Act of Congress, approved March 2, 1901 (31 Stats. L., p. 898, sec. 7).

RESERVATION NO. 1.

The west part of Cuzco Hills, extending from the bay to a true north and south line, 3,545 feet due east from Windward Point light-house, assuming 6,000 feet as equal to a nautical mile, with the following exceptions:

(*a*) Such lands on the hilltops as may be needed for naval wireless-telegraph stations, and such rights of way as may be required to reach the lands.

(*b*) Five acres of land for light-house purposes, the exact location to be determined when the construction of batteries on this part of the reservation is undertaken.

(*c*) On Fishermans Point, for the use of the harbor master, pilots, and lookout station, the land bounded as follows: The nearest point of southeasterly boundary line shall be three hundred and fifty (350) feet from the point marked "Observation Spot" on the Hydrographic Office Chart No. 1857; that it shall run in a direction south forty (40) degrees west (true) until it intersects the southern boundary line; the southern boundary line shall run in a westerly direction from the intersection to the water, at a distance of about one hundred (100) feet south of the inner crest of the bluff south of Fishermans Point; the intention being that, throwing out the irregularities of the line of the inner crest of the bluff, the plot of land on the bluff shall average about one hundred (100) feet in width north and south. It is, however, understood that if this plot on the bluff is essential to the Army in providing for the defense of the bay another site suitable for a lookout and signal station will be selected.

(*d*) A site for a wharf to be allotted to the Light-House Establishment, either in the bight south of Corinaso Point or at the extremity of the beach on the north side of the point, as it may prefer, and free right of way for its employees and supplies to and from the light-house reservation at Windward Point.

Under date of September 18, 1905, the Acting Secretary of War transferred to the Department of Commerce and Labor for light-house depot a small parcel of land at Corinaso Point near Fishermans Point, within the military reservation on Cuzco Hills.

RESERVATION NO. 2.

On Conde Bluff, extending one-eighth ($\frac{1}{8}$) nautical mile along the beach from the center of the bluff to a true north and south line, the east boundary; north along this line one-quarter ($\frac{1}{4}$) nautical mile, thence west along a true east and west line to a point one hundred (100) feet east of Guantanamo River. The south boundary line of this reservation to be determined by a true east and west line extending from a point on the beach three-eighths ($\frac{3}{8}$) nautical mile from

the center of the bluff to a point one hundred (100) feet east of the Guantanamo River. The west boundary to be a line joining the two points above given one hundred (100) feet east of the Guantanamo River, the strip of land along the bank being required for a highway.

This is not, however, to prevent the Army from building landing places for landing its stores along this portion of the river, if it is necessary.

RESERVATION NO. 3.

All that land on the west side of the harbor as is included between the ocean, bay, and river, east of a true north and south line three-quarters (¾) nautical mile west from St. Nicholas Point.

MEXICO.

MEXICO NATIONAL CEMETERY.

This burial site contains 2 acres and is situated near the City of Mexico, at San Cosme. The grounds were purchased pursuant to an act of Congress approved September 28, 1850, for a cemetery or burial ground for such officers and soldiers of the United States Army in the war with Mexico as fell in battle or died in and around said city, and for the interment of American citizens who have died or may die in said city. The title is as follows:

Deed from Don Manuel Lopez, dated June 26, 1851, conveying said tract. Recorded at the City of Mexico, and a copy placed on file in the United States Legation in that city.

INSULAR POSSESSIONS.

HAWAII.

DIAMOND HEAD.

This reservation contains an area of about 720 acres, and is situated at or near Diamond Head and Kupikipikio Point, near Waialae Bay, Island of Oahu. Part of the public domain, it was reserved for military purposes by Executive Order of January 18, 1906 (G. O. No. 21, War Department, January 27, 1906). See KAPAHULI, *post.*

HONOLULU.

(Lots in.)

These reservations, three in number, and known as the Emmes Wharf site, The Esplanade Lots and the Barracks Lot, contain respectively 42,050, 55,830 and 98,260 square feet. They were reserved subject to private rights by Executive Order, dated December 19, 1899.

Lease: Lease for 5 years, August 17, 1903, of the Emmes Wharf site to the Department of Public Works, Honolulu. Lease granted in accordance with Act of Congress, approved July 28, 1892.

Revocable License, January 12, 1907, to Territory of Hawaii for storage for militia property on "Barracks Lot."

KAHAUIKI.

This reservation contains 1,344 acres, and is situated at Kahauiki, Kona District, about three miles northwest of Honolulu, on the Island of Oahu. A part of the Government domain, it was reserved for military purposes, subject to unexpired leases, by Executive Order, dated July 20, 1899 (G. O. No. 147, A. G. O., August 10, 1899).

The following releases have been executed by lessees, assigns, and sublessees of their interests in and to portions of said premises under the original lease, dated July 2, 1888, of said premises for the term of 25 years, to James I. Dowsett, viz:

1. Release by the Dowsett Company (Limited), assignee, dated April 30, 1904, of leasehold interest in a portion of the lands. Recorded in Liber 263, pages 1 to 5, in Register's Office, Oahu.

2. Release by the Dowsett Company (Limited), assignee, and Joseph Richard, sub-lessee under said Company, dated June 10, 1904, of right of way leading from Government Road to said reservation. Recorded in Liber 263, pages 5 and 6, same records.

3. Release by Alfred W. Carter, J. R. Galt and Clarence H. Cooke,

Trustees, etc., dated June 6, 1904, of same premises covered by No. 1, supra. Recorded in Liber 256, pages 483 to 485, same records.

4. Release by the Star Dairy Company (Limited), assignee, dated June 6, 1904, of leasehold interest in a portion of the lands. Recorded in Liber 263, pages 14 and 15, same records.

5. Release by Sarah J. Grace (widow), dated June 6, 1904, of leasehold interest in a portion of the lands. Recorded in Liber 261, pages 143 and 144, same records.

6. Release by Ng Sue Ming, et al., dated June 6, 1904, of leasehold interest in a portion of the lands. Recorded in Liber 261, pages 144 and 145, same records.

7. Release by S. M. Damon and wife, dated May 12, 1904, of leasehold interest in a portion of the lands. Recorded in Liber 264, pages 221 and 222, same records.

Kalia.

This reservation contains an area of 10.919 acres, and is situated at Kalia, Waikiki, Island of Oahu. The title is as follows:

1. Deed from Frances Elizabeth Hobron, executrix and trustee, and widow of Thomas H. Hobron, deceased, dated December 31, 1904, conveying 2.893 acres. Recorded in Liber 264, pages 320–325, Register's Office, Oahu.

2. Decree of United States District Court for the Territory of Hawaii, dated July 14, 1905, covering 2.812 acres. Recorded in Liber 284, pages 98–105, same records. Also Deed, dated July 9, 1905, from the Estate and Heirs of Henry Waterhouse conveying same premises. Unrecorded.

3. Decree of United States District Court for the Territory of Hawaii, dated November 10, 1905, covering 2 acres. Recorded in Liber 284, pages 105–110, same records.

4. Decree of United States District Court for the Territory of Hawaii, dated December 22, 1905, covering 3.214 acres. Recorded in Liber 284, pages 116–122, same records.

Lease: To F. E. Steere of "Waterhouse Property" (No. 2 supra.), for five years from July 1, 1906.

Kapahuli.

This reservation contains an area of 49.73 acres, and is situated in Kapahuli, Waikiki, Island of Oahu, and adjoins the reservation of Diamond Head on the north. The title was acquired by the following deeds:

1. Deed, dated November 26, 1904, from W. O. Smith, et al., Trustees, conveying above premises. Recorded in Liber 264, pages 215–218, Register's Office, Oahu.

2. Deed, dated November 29, 1904, from Arthur A. Wilder (unmarried), conveying same premises. Recorded in Liber 264, pages 209–211, same records.

3. Deed, dated November 26, 1904, from A. V. Gear and wife, and T. F. Lansing and wife, conveying same premises. Recorded in Liber 264, pages 212–214, same records.

4. Release of Mortgage, dated November 29, 1904, from Bishop & Co. (S. M. Damon and Alexander Garvie), covering same premises. Recorded in Liber 262, pages 174–176, same records.

Punchbowl Hill.

This reservation contains an area of about 157.5 acres, and is situated at Honolulu, Island of Oahu. As part of the public domain, it was reserved for military purposes by Executive Order of January 18, 1906 (G. O. No. 21, War Department, January 27, 1906.)

Puuloa.

This reservation contains an area of 322.33 acres, and is situated on the west side of the entrance to Pearl Harbor, near Honolulu, Island of Oahu. The title is as follows:

1. Deed, dated December 20, 1904, from the Dowsett Company (Limited), conveying the entire tract, excepting the ten lots conveyed by deeds hereinafter mentioned. Recorded in Liber 266, pages 43 to 47, in Register's Office, Oahu.
2. Deed, dated December 20, 1904, from R. W. Atkinson, Trustee, conveying Lot No. 19. Recorded in Liber 264, pages 284 to 287, same records.
3. Deed, dated December 20, 1904, from Blanche C. Walker and John S. Walker, her husband, conveying Lot No. 20. Recorded in Liber 266, pages 60 to 65, same records.
3. Deed, dated December 20, 1904, from James F. Morgan and wife, conveying Lots 38 and 39. Recorded in Liber 264, pages 279 to 283, same records.
4. Deed, dated December 20, 1904, from Elizabeth B. Waterhouse, conveying Lot No. 41. Recorded in Liber 264, pages 288 to 291, same records.
5. Deed, dated June 22, 1905, from D. H. Hitchcock and wife, conveying Lot No. 42. Recorded in Liber 272, pages 181 to 183, same records.
6. Deed, dated December 20, 1904, from J. W. Bergstrom and wife, conveying Lot No. 45. Recorded in Liber 266, pages 54 to 59, same records.
7. Deed, dated December 20, 1904, from F. J. Church and wife, conveying Lot No. 47. Recorded in Liber 266, pages 66 to 71, same records.
8. Deed, dated December 20, 1904, from A. C. Lovekin and wife, conveying Lots 48 and 49. Recorded in Liber 266, pages 48 to 53, same records.

Waianae.

This reservation contains 14,400 acres, and is situated at Waianae, Uka, Island of Oahu, about 19 miles from Honolulu, and 9 miles from Pearl Harbor. As part of the government domain, it was set apart for military purposes and declared a military reservation by Executive Order, dated July 20, 1899.

License, July 23, 1906, to Oahu Railway and Land Company to occupy for its railway a strip of land 40 feet wide, through reservation.

PHILIPPINE ISLANDS.

ANGELES.

This reservation contains an area of 7,668.8 acres, and is situated near Angeles, Province of Pampanga, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept. Oct. 13, 1903.)

BACON.

This reservation contains 80.30 acres, at Bacon, Province of Sorsogon, the most southerly province of the island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

BAGUIO (CAMP JOHN HAY).

This reservation contains an area of about 1,433 acres, and is situated at Baguio, Province of Benguet, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), a tract of 535.63 acres was reserved for military purposes, subject to private rights, by Executive Order, dated October 11, 1903. (G. O. No. 48, War Dept., Nov. 3, 1903.) By Executive Order of January 23, 1907, the reservation was enlarged to include the present area. (G. O. No. 22, War Dept., January 30, 1907.)

BATANGAS.

This reservation contains an area of 125 acres, in Batangas Province, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, W. Dept., Oct. 13, 1903.)

BATAN ISLAND.

This reservation contains an area of about 25 square miles, and is situated on Batan Island, which lies off the coast of Luzon, at longitude 124° east, and between 13° 10′ and 13° 20′ north latitude.

It was reserved from the public lands by Executive Order, dated March 10, 1906, made pursuant to Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691). (G. O. No. 60, War Dept., March 23, 1906.)

BAYAMBANG.

This reservation contains an area of 791.27 acres, situated at Bayambang, Province of Pangasinan, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes

at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

BONGAO.

This reservation comprises all the public lands on the entire island of Bongao, situated in the western part of the Tawi-Tawi group. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

CACRARAY.

This reservation contains an area of about 550 acres, and is situated in the Island of Cacraray, Albay Province.

It was reserved from the public lands, pursuant to Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691), by Executive Order, dated March 10, 1906. (G. O. No. 60, War Dept., March 23, 1906.)

CALBAYOG.

This reservation contains an area of 181.072 acres near Calbayog, Island of Samar. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Stat. L., 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

CAMP JOSSMAN.

This reservation comprises two tracts near the town of Buena Vista, island of Guimaras. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34. War Dept., Oct. 13, 1903.)

CAMP MARAHUI.

This reservation, containing approximately 2,388 acres, is situated on the Island of Mindanao.

Pursuant to Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691), it was reserved from the public lands, for military purposes, by Executive Order, dated January 19, 1905. (G. O. No. 12, War Dept., January 28, 1905.)

CEBU.

This reservation comprises two tracts at Cebu. Island of Cebu. One tract includes the fort at that place, and the other the Cuartel de Infanteria, and the corral. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32, Statutes at Large, 691, it was reserved for military purposes, subject to private rights, by Executive

Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

Under orders of the Navy Department, dated April 24, 1905, and May 3, 1905, the custody and control of the naval reservation at Cebu, Island of Cebu, declared by Executive Order, dated June 19, 1903 (G. O. No. 132, Navy Department, June 24, 1903), was, on July 5, 1905, formally transferred to the War Department for military purposes (excepting the present site of the Navy coal pile. Land, so acquired, announced as an addition to the fort reservation by G. O. No. 157, War Dept., Sept. 22, 1905.

DARAGA.

This reservation, composed of two parts: (1) the Main Reservation, containing an area of 308.508 acres, more or less; and (2) a detached portion, containing an area of 10.314 acres, more or less (total area, approximately 318.822 acres), is situated near Daraga, Albay Province.

Pursuant to Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691), it was reserved from the public lands by Executive Order, dated November 10, 1904. (G. O. No. 177, War Dept., November 21, 1904.)

JOLO.

These reservations contain an aggregate area of about 426.5 acres, and are situated at Jolo, island of Jolo. They were made by the following orders, viz:

1. Executive Order of November 10, 1904 (G. O. No. 177, War Dept., November 21, 1904):

a. Main reservation, containing 339.7 acres, and

b. Fort Asturias (Princesa de Asturias), containing 58.6 acres.

2. Executive Order of May 17, 1905 (G. O. No. 76, War Dept., May 25, 1905):

a. Tract "A", addition to main reservation, containing about 15.8 acres;

b. Tract "B", same, containing about 5.25 acres;

c. Tract "C", containing about 5.68 acres;

d. Tract "D" (Post Hospital); area 26,715 square feet;

e. Tract "E" (Officers' Club Building); area 18,972 sq. ft.

f. Tract "F" (Ice Plant); area 7,941.24 square feet;

g. Tract "G" (Quartermaster Shop and Blacksmith Shop); area 3,888.9 square feet;

h. Tract "H" (Boat House); area 4,044.3 square feet;

i. Tract "I" (Blockhouse); area 6,289.84 square feet.

LOS BANOS.

This reservation is situated at Los Banos, Province of Laguna, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Stat. L., 691), a tract of 68.35 acres was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903 (G. O. No. 34, War Dept., Oct. 13, 1903).

By Executive Order, dated December 6, 1904 (G. O. No. 188, War Dept., December 14, 1904), the former order was modified so as to reserve, subject to the rights specified therein, a large additional tract of public land. Area not given.

LUCENA.

This reservation contains an area of 143.3 acres, situated at Lucena, Province of Tayabas, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

MALABANG.

This reservation is situated at Malabang, Province of Cotabato, on Illana Bay, Island of Mindanao. It was reserved for military purposes from the public domain by Executive Order, dated May 29, 1903 (G. O. No. 86, Headquarters of the Army, A. G. O., June 19, 1903), and contained an area of about 2800 acres. The description of the said reservation was amended by Order of December 22, 1904 (G. O. No. 193, War Dept., December 22, 1904); and by Executive Order of July 21, 1906 (G. O. No. 138, War Dept., July 30, 1906), was modified so as to exclude certain premises for the municipality of Malabang. Area of the premises so excluded not given.

MANILA.

The following reservations at the city of Manila, Luzon, were made by Executive Order, dated May 17, 1905 (G. O. No. 77, War Dept., May 27, 1905), pursuant to the provisions of Section 12 of Act of Congress, approved July 1, 1902 (32 Stat. L., 691):

1. The Cuartel Meisic, in three parcels, as follows:
   a. Parcel 1; area about 5.935 acres.
   b. Parcel 2; area about 0.337 acre;
   c. Parcel 3; area about 0.885 acre;
2. The Estado Mayor; area about 2.565 acres.
3. Malate Barracks (Cuartel Malate); two parcels:
   a. Parcel "A"; area about 3.126 acres;
   b. Parcel "B"; area about 4.197 acres.
4. Fort Santiago (including the lands reserved for an ordnance depot by Executive Order of June 29, 1904 (G. O. No. 125, War Dept., July 20, 1904) comprising an area of 11.696 acres.

By Executive Order, dated August 29, 1905 (G. O. No. 184, War Dept., November 2, 1905), certain parcels of reclaimed harbor land at the city of Manila, Luzon, were reserved for military purposes, pursuant to section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691), as follows:

Parcel "D",
Parcels "A" and "C" and included strip of land;
Parcel "B" and adjacent tracts. Areas not given.

MANILA BAY.

These reservations consist of —(1) the Mariveles reservation on the north side of the entrance to Manila Bay; (2) the Calumpan Point reservation on the south side of said entrance; and (3) a number of islands and detached rocks lying between the two. Being a part of the public domain, they were set apart and reserved for military purposes by Executive Order, dated April 11, 1902 (G. O. No. 38, Headquarters of the Army, A. G. O., April 17, 1902). The areas originally reserved (aggregating about 180 square miles) were reduced by Executive Order of March 14, 1904 (G. O. No. 56, War Dept., March 25, 1904), so as to reserve under Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691) the following lands:

1. Mariveles Reservation; area 6,173 acres, more or less;
2. Calumpan Point Reservation; area 5,260 acres, more or less;
3. The Islands of—
   Corregidor, area 1,734.74 acres;
   Pulo Caballo, area 75.45 acres;
   Carabao, area 44.5 acres;
   La Monja, area 1.6 acres;
   El Fraile, area 0.80 acre;
   Sta. Amalia (off northwest coast of Corregidor) 0.47 acre, and
   Rock (off southeast point of Corregidor and north of Pulo Caballo) 0.475 acre.

A survey having been made of the Mariveles reservation, its area (as given above) together with a description by metes and bounds; and the area of the islands composing reservation No. 3, supra, as indicated, were published in G. O. No. 147, War Dept., September 8, 1904.

NONUCAN.

This reservation is situated at Nonucan, about 3 miles west of Iligan, Province of Misamis, Island of Mindanao. A part of the public domain, it was set apart and reserved for military purposes by Executive Order, dated July 11, 1903. (G. O. 112, Headquarters of the Army, A. G. O., July 31, 1903.)

NUEVA CACERES.

This reservation contains an area of approximately 215 acres, situated at Nueva Caceres, Province of South Camarines, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Statutes at Large, 691), it was reserved for military purposes subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

ORMOC.

This reservation contains an approximate area of 58 acres, at Ormoc, island of Leyte. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

PARANG.

This reservation contains 1,159 acres, more or less, situated at Parang, Mindanao. Pursuant to Act of Congress, approved July 1, 1902 (32 Stat. L., 691), it was set apart by Executive Order, dated February 15, 1904. (G. O. No. 43, War Dept., March 4, 1904).

PASAY.

This reservation, having an area of about 96.643 acres, is situated at Pasay, Rizal Province, Luzon.

It was reserved, for military purposes, subject to private rights, from the public lands by Executive Order, dated June 20, 1904, pursuant to the provisions of Section 12 of Act of Congress, approved July 1, 1902 (32 Stat. L., 691) (G. O. No. 116, War Dept., June 27, 1904.)

SAN FERNANDO.

This reservation contains an area of 481 acres, situated near San Fernando, Province of Union, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

SANGLEY POINT.

This reservation is situated within the naval reservation on Sangley Point, on Canacao Bay and contains about 2 acres. It was set apart to be used for wharf and shed purposes by Executive Order, dated March 25, 1904. (G. O. No. 60, War Dept., April 2, 1904.) Amended by Executive Order of Sept. 23, 1904, publishing a description of this reservation by metes and bounds. (G. O. No. 158, War Dept., Sept. 30, 1904.)

FORT SAN PEDRO.

This reservation is situated near Iloilo, Island of Panay. Pursuant to Section 12, Act of Congress, approved July 1, 1902 (32 Stat. L., 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated October 11, 1903 (G. O. No. 43, War Department, October 27, 1903); modified by Executive Order of September 18, 1905 (G. O. No. 161, War Dept., September 30, 1905), and further modified, so as to exclude therefrom the parcel of land reserved for light-house purposes by order of the Civil Governor of the Philippine Islands, dated July 28, 1903 (Executive Order, No. 60, Manila, July 28, 1903), and erroneously included therein, by Executive Order of October 3, 1906 (G. O. No. 173, War Dept., October 12, 1906).

SIASSI.

This site consists of a military reservation, a right of way for a pipe line, 100 feet wide and 9,811 long, and a reservation for a water shed. It is situated at Siassi, Island of Siassi, one of the Tapul

Group. A part of the public domain, it was set apart for military purposes by Executive Order, dated September 22, 1903. (G. O. No. 31, War Dept., Oct. 9, 1903.)

SOLOMAGUE.

This reservation contains an area of 107 acres, and is situated near Solomague, Province of South Ilocos, Island of Luzon. Pursuant to Section 12, of Act of Congress, approved July 1, 1902 (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War. Dept., Oct. 13, 1903.)

SUBIG BAY.

By Executive Order, dated May 1, 1905, pursuant to Section 12 of Act of Congress, approved July 1, 1902 (32 Stat. L., 691), the following reservations for military purposes, subject to private rights, were made from the public lands in the Island of Luzon:

1. Reservation on the east side of the entrance to Subig Bay, in the Province of Bataan; area 7,593.057 acres;
2. Reservation on the west side of the entrance to Subig Bay, in the Province of Zambales; area 8,754.66 acres;
3. Grande Island, at the entrance to Subig Bay, and lying between the two preceding reservations; area about 95 acres.

(G. O. No. 73, War Dept., May 19, 1905.)

TACLOBAN.

This reservation is situated at Tacloban, island of Leyte. Pursuant to Section 12, of Act of Congress, approved July 1, 1902, (32 Statutes at Large, 691), it was reserved for military purposes, subject to private rights, by Executive Order, dated September 1, 1903. (G. O. No. 34, War Dept., Oct. 13, 1903.)

FORT WILLIAM McKINLEY.[a]

This reservation contains an area of 1,801.07 acres, situated southeast of the city of Manila, near the town of Guadaloupe, in the province of Rizal. The title is as follows:

Deed from José Clavet to the United States, dated August 5, 1902, conveying the above tract. The original deed is numbered 480 of the protocol of the public instruments, in Notary's Office of Enrique Barrera y Caldes, a Notary Public of the city of Manila, for the year 1902.

Revocable License: License, dated September 17, 1906, to Chas. M. Swift for electric railway across.

[a] The tract of land above acquired was found to have been built upon by native squatters in considerable numbers. The occupants were permitted to remain upon the reservation as tenants upon the payment to the United States of a nominal sum as rental. The leases executed in each case are filed in the office of the Judge-Advocate-General, Washington, D. C.

ZAMBOANGA.

This reservation, containing an area of 131.3 acres, is situated at Zamboanga, Mindanao.

It was reserved for military purposes, subject to private rights, pursuant to Section 12 of Act of Congress, approved July 1, 1902 (32 Stat. L., 691), by Executive Order of June 20, 1904 (G. O. No. 116, War Dept., June 27, 1904); and modified by Executive Order, dated May 17, 1905 (G. O. No. 76, War Dept., May 25, 1905.)

ZAMBOANGA TARGET RANGE.

This reservation, contains an area of 37.85 hectares, and is situated at the western or furthermost end of the "Mesa," near Zamboanga, Mindanao.

It was reserved, for the purposes of a target range for the post of Zamboanga, by Executive Order of November 14, 1905, pursuant to Section 12 of the Act of Congress, approved July 1, 1902 (32 Stat. L., 691). (G. O. No. 196, War Dept., November 21, 1905.)

PORTO RICO.

AN ACT authorizing the Governor of Porto Rico to convey certain lands to the United States for naval, military and other public purposes.

"*Be it enacted by the Legislative Assembly of Porto Rico:*

"SECTION 1. That the Governor of Porto Rico be and he is hereby authorized in his discretion and in the name of the People of Porto Rico to convey to the United States for naval, military or other public purposes all the right title and interest of the People of Porto Rico or of any municipality thereof in and to all public lands in the Island of Culebra, together with the shores thereof and any public buildings thereon, or in and to so much thereof as may now or hereafter be desired by the United States for such purposes, and in and to any and all roads, streets or highways or other public property in said Island of Culebra belonging to the People of Porto Rico or to any municipality thereof; together with all rights, easements, benefits and privileges thereunto appertaining.

"SEC. 2. That the Governor of Porto Rico be and he is hereby authorized in his discretion and in the name of the People of Porto Rico to convey to the United States for naval, military, or other public purposes all the right, title and interest of the People of Porto Rico or of the municipality of San Juan, in and to any or all public lands in the Puntilla in the harbor of San Juan, together with the shores thereof and any public buildings thereon, or in and to so much thereof as may now or hereafter be desired by the United States for such purposes, and in and to any streets or highways or other public property therein belonging to the People of Porto Rico or to the said municipality; together with all rights, easements, benefits and privileges thereunto appertaining.

"SEC. 3. That the United States or any officer or agent thereof or any contractor in charge on behalf of the United States of the dredging of the harbor of San Juan is hereby authorized at any time hereafter and until other provision shall have been made by the Legisla-

tive Assembly to use any island in the harbor of San Juan belonging to the People of Porto Rico as a place of deposit for the dredgings and soil removed from said harbor or any portion of the shores of said harbor or any portion of the lands adjacent thereto belonging to the People of Porto Rico which in the judgment of the Governor, may properly be used as such place of deposit. And in carrying out any such plan of improvement of said harbor the United States or any such officer, agent or contractor is hereby authorized to alter the boundary lines of any portion of the shores of said harbor or of any such island or to diminish or increase the area of any such island as may be required by such plans; Provided, that all lands reclaimed by making any such deposit of dredgings and soil from the harbor shall belong to the People of Porto Rico.

"SEC. 4. That the Governor of Porto Rico be and he is hereby authorized in the name of the People of Porto Rico to release any interest or claim that the People of Porto Rico may now have or may hereafter acquire in and upon any lands or buildings belonging to the United States in the Island of Porto Rico which may be reserved by the President of the United States for public uses under and by virtue of the power vested in him under the terms of an act of the Congress of the United States entitled "An Act authorizing the President to reserve public lands and buildings in the Island of Porto Rico for public uses and granting other public lands and buildings to the government of Porto Rico, and for other purposes," approved July 1, 1902.

"SEC. 5. That consent be and is hereby given to the United States to acquire for naval, military or other public purposes, by purchase or condemnation any lands within the island of Porto Rico, and when so acquired and possession thereof shall have been taken by the United States, all jurisdiction over such lands by the People of Porto Rico shall cease and determine; Provided, however, that upon the subsequent alienation by the United States of any land so acquired the People of Porto Rico shall again have jurisdiction thereover.

"SEC. 6. That exclusive jurisdiction be and is hereby ceded to the United States over any and all lands that may hereafter be acquired by it in the island of Porto Rico by purchase or condemnation; and over any and all lands and the shores thereof, including streets and other public highways, conveyed to it by the Governor of Porto Rico under the provisions hereof; and over any and all lands in which any interest or claim of the People of Porto Rico may hereafter be released to the United States by the Governor of Porto Rico as provided herein; Provided however, that in and over any lands acquired by, or conveyed under the terms hereof to the United States, in the Island of Culebra, the People of Porto Rico shall retain a concurrent jurisdiction with the United States over offenses committed within the limits of the lands so conveyed, such jurisdiction however to be exercised only upon the complaint of the officer of the navy or other officer of the United States in charge thereof.

"SEC. 7. The Governor of Porto Rico, in his discretion is hereby authorized now or at any time hereafter to revoke or modify any license heretofore or hereafter issued for the sale of liquors or other intoxicating or spirituous beverages, or to revoke or modify any license heretofore or hereafter issued for the sale of merchandise of an objectionable nature at or near any naval or military station or

post now existing or that hereafter may be established in Porto Rico. And he is further authorized to revoke any license heretofore issued or that hereafter may be issued for the sale of such liquors and beverages or of such merchandise within the limits of any lands conveyed hereunder to, or acquired by, the United States.

"SEC. 8. This act shall take effect from and after its approval."

Approved, February 16th, 1903. (Laws of Porto Rico, 1903, page 110.)

AIBONITO.

This reservation is situated just east of the town of Aibonito where the barracks stand, and was reserved by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), under Act of Congress, approved July 1, 1902 (32 Stat. L., 731.)

AGUADILLA.

This reservation is situated in the northerly part of the town of Aguadilla, where the fort and barracks stand, and was reserved by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), under Act of Congress, approved July 1, 1902 (32 Stat. L., 731.)

FAJARDO (ISLANDS NEAR).

All the lands comprising the islands of Palominos and the islands known as the cordilleras, including Icacos and Lobos Cays, lying near Fajardo, off the northeasterly cape of Porto Rico.

Reserved by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), under Act of Congress, approved July 1, 1902 (32 Stat. L., 731.)

HENRY BARRACKS.

A tract of land situated just east of Cayey was set apart by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), under Act of Congress, approved July 1, 1902 (32 Stat. L., 731.) The reservation as thus declared has been enlarged by the following additions: (See G. O. No. 31, War Dept., Feb. 24, 1905.)

The United States acquired by acts of sale, numbers 141, 142 and 143, dated December 30, 1903, before Luis Munoz Morales, a lawyer and notary public in and for the Island of Porto Rico, resident in the town of Cayey, said acts being registered in the Registry of Property of Guayama, the following described tracts of land in connection with the military reservation of Henry Barracks, Cayey, Porto Rico:

1. Certain tracts of land, acquired from Francisco Fernandez Navas and wife, Santiago Lopez and wife, Teresa Rosset Flores, Maria Alejo Vasquez, Isabel Llera Vasquez, Providencia Perez Llera and José Perez Llera, which together form one complete parcel, containing about 372 acres, lying adjacent to the military reservation of Henry Barracks.

2. A parcel of land acquired from Modesto Munitize Aguirre and wife containing about 1.94 acres, situated in the ward of Monte Llano, about one and one-fourth miles from the military reservation of Henry Barracks; together with the water system, and franchise

to take water flowing through a four inch pipe from Novillos Creek, and for pipe line leading therefrom to Henry Barracks; reserving to the grantor, his heirs and successors, permanently, a supply through a three-fourths-inch pipe, coming from the main pipe, for the use of his household in said ward of Monte Llano.

MAYAGUEZ.

The following reservations in the city of Mayaguez were made by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), under Act of Congress, approved July 1, 1902 (32 Stat. L., 731.):

1. Barracks, including all that piece or parcel of land on which the barracks building stands.

By War Department letters of June 7th and July 20th, 1904, this reservation was transferred to the Department of Justice for use of the Federal Court, upon condition of its being returned upon request of the War Department. By letter of October 3, 1904, consent was given to the use of a portion of the premises by the Government of Porto Rico under authority of the Department of Justice, for Insular court, police and school purposes.

2. Fort, including all that piece or parcel of land situated on the "Little Point Algarrobo," in that part of the city of Mayaguez, known as Mayaguez Playa, and now occupied by a small fort and attending buildings.

3. Military Hospital, including all that piece or parcel of land situated in the easterly part of the city of Mayaguez, near the city asylum, formerly used as a military hospital.

Revocable License, January 25, 1906, to Government of Porto Rico, to occupy and use this reservation for the purposes of a correctional school and district jail. Certain minor changes in the building were authorized September 18, 1906.

SAN JUAN.

The following reservations at San Juan on the Island of San Juan were made by Executive Order of June 30, 1903 (G. O. No. 97, A. G. O., July 7, 1903), pursuant to Act of Congress, approved July 1, 1902 (32 Stat. L., 731):

1. Main Reservation, including all that piece or parcel of land forming the westerly and northerly portions of the island of San Juan, and extending from the Marina to El Morro on the west, and from El Morro to San Geronimo on the north, said tract of land containing part of the southerly wall, together with Casa Blanca, the Infantry Barracks, El Morro, Artillery Park, San Cristobal, San Geronimo and other military lands and buildings.

This reservation was modified by Executive Order, dated November 23, 1903 (G. O. No. 60, War Dept., December 10, 1903).

Revocable License, dated Dec. 15, 1904, to Navy Department, for a temporary use, until required for military purposes, of site for wireless telegraph station, with right of way thereto.

2. La Palma Bastion, including all that piece or parcel of land in the southerly part of the city of San Juan or San Juan Island, occupied by the Palma Bastion.

3. San Sebastian Guardhouse, including all that piece or parcel of land situated in the northerly part of the city of San Juan, or San Juan Island, and known as the San Sebastian guardhouse.

4. Water Front—A piece or parcel of land on the shore of San Juan Bay.

Revocable License: License, January 29, 1902, to the New York and Porto Rico Steamship Company to reconstruct its wharf, originally constructed under license issued February 28, 1900.

5. Santo Domingo Barracks, including all that piece or parcel of land situated on San Juan Island in the city of San Juan, and known as the Santo Domingo Barracks site, adjoining the church of San Jose.

SAN JUAN HARBOR.

All the Islands comprising the islands of Cabras and Canuelo, lying at the entrance of San Juan Harbor, and the island of Punta Salinas, lying about three statute miles westerly of said entrance.

Reserved by Executive Order of June 30, 1903 (G. O., No. 97, A. G. O., July 7, 1903), pursuant to act of Congress, approved July 1, 1902 (32 Stat. L., 731.)

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APPENDIX.

EMINENT DOMAIN.

Right in the State.—The right to take property, for public uses, is inherent in government. The State possesses this right as one of the rights of sovereignty. (Gilmer *v.* Lime Point, 18 Cal., 229).

A " fort " is an object of " public use," and a State may, for its own purposes, condemn land for a fort, or may authorize the land to be condemned for such purposes, for and on behalf of the general government. (Ibid.)

Assuming that the federal government has the power to condemn private land within a State for the purposes of a " fort," still that power is not exclusive of the power of the State. (Ibid.)

But it seems to be now well settled that the exercise of this right for *national* purposes is not among the ends contemplated in the creation of State governments. (See Trombley *v.* Humphrey, 23 Mich., 471.)

The right of eminent domain is inherent in the State and not conferred by the Constitution, and may be delegated by the legislature to any corporation or individual who shall comply with the terms upon which the right is given. (Moran *v.* Ross, 79 Cal., 159. See also 23 Mich., 471, supra.)

How far power of State restricted.—The right of eminent domain over the shores and the soil under the navigable waters, for all municipal purposes, belongs exclusively to the States within their respective territorial jurisdictions, and they, and they only, have the constitutional power to exercise it. * * * But in the hands of the State this power can never be used so as to affect the exercise of any *National* right of eminent domain or jurisdiction with which the United States have been invested by the Constitution. (Ib.)

Power of the Federal Government.—In the new Territories, where the government of the United States exercises sovereign authority, it possesses as incident thereto, the right of eminent domain, which it may exercise directly or through the territorial government; but this right passes from the nation to the newly formed State whenever the latter is admitted into the Union. So far, however, as the general government may deem it important to appropriate lands or other property for its own purposes, and to enable it to perform its functions—as must sometimes be necessary in the case of forts, lighthouses, military posts or roads, and other conveniences and necessities of government—the general government may still exercise the authority, as well within the States as within the territory, under its exclu-

sive jurisdiction, and its right to do so may be supported by the same reasons which support the right in any case; that is to say, the absolute necessity that the means in the government for performing its functions and perpetuating its existence should not be liable to be controlled or defeated by the want of consent of private parties, or of any other authority. (Cooley on Constitutional Limitations, 645.)

Property already devoted to public use in a local community (not a State) may be taken.—The power of appropriating private property to public purposes is an incident of sovereignty. And it may be, that by the exercise of this power, under extraordinary emergencies, property which had been dedicated to public use, but the enjoyment of which was principally limited to a local community (not a State), might be taken for higher and national purposes, and disposed of on the same principles which subject private property to be taken. In a government of limited and specified powers, like ours, such a power can be exercised only in the mode provided by law. (New Orleans *v.* The United States, 10 Peters, p. 723.)

State jurisdiction.—It is in the power of either of the States to take land of its citizens for public use by special act and without intervention of jury, but on payment of reasonable indemnity ascertained by commissioners. A public use of the United States is a public use of each of the States of the Union. Consent of a State to the purchase of land within it conveys, in general, jurisdiction to the United States; *but not* when all jurisdiction is expressly reserved by the State. (Vol. 8, p. 30, Opinions Attorneys-General. Seabrook's Island Case. See Trombley *v.* Humphrey, 23 Mich., 471, and authorities cited per contra as to proposition first above stated.)

How far right may be exercised by the United States.—The right of eminent domain exists in the government of the United States, and may be exercised by it within the States, so far as is necessary to the enjoyment of the powers conferred upon it by the Constitution. (Kohl et al. *v.* The United States, 91 U. S., 367.)

For what purposes private property taken—Right in United States can not be enlarged or diminished by State—When consent of State needed.—It is a right belonging to a sovereignty to take private property for its own uses, and not for those of another. Beyond that there exists no necessity, which alone is the foundation of the right. If the United States have the power, it must be complete in itself. It can neither be enlarged nor diminished by a State. Nor can any State prescribe the manner in which it must be exercised. The consent of a State can never be a condition precedent to its enjoyment. Such consent is needed only, if at all, for the transfer of jurisdiction and of the right of exclusive legislation after the land shall have been acquired. (Ib.)

An exposition of the right of.—The powers vested by the Constitution in the general government demand for their exercise the acquisition of land in all the States. They are needed for forts, armories, and arsenals, for navy-yards and light-houses, for custom-houses, post-offices, and court-houses, and for other public uses. If the right to acquire property for such uses may be made a barren right by the unwillingness of property holders to sell, or by the action of a State prohibiting a sale to the Federal Government, the constitutional grants of power may be rendered nugatory, and the government is

dependent for its practical existence upon the will of the State, or even upon that of a private citizen. This can not be. No one doubts the existence in the State governments of the right of eminent domain—a right distinct from and paramount to the right of ultimate ownership. It grows out of the necessity of their being, not out of the tenure by which lands are held. It may be exercised, though the lands are not held by grant from the government, either mediately or immediately, and independent of the consideration whether they would escheat to the government in case of a failure of heirs. The right is the offspring of political necessity; and it is inseparable from its sovereignty, unless denied to it by its fundamental laws. (Ibid.)

Of State confined to State purposes.—This State has no authority, by virtue of its eminent domain, to condemn private lands within its boundaries for the purpose of turning the same over to the United States for the erection and maintenance of light-houses thereon. Act No. 119 of 1867 (Session Laws 1867, p. 158), which undertakes to authorize the governor to do this is unconstitutional, for the reason that its enactments are not within the sphere of State powers, and if put in force would constitute an appropriation of the property of individuals without due process of law. (Trombley *v.* Humphrey, 23 Mich., 471.)

Defined—Necessity justifies its exercise.—The eminent domain is the rightful authority which exists in every sovereignty to control and regulate those rights of a public nature which pertain to its citizens in common, and to appropriate and control individual property for the public benefit, as the public safety, necessity, convenience and welfare may demand. It has its foundation in the imperative law of necessity which alone justifies and limits its exercise. (Ibid.)

Right of, in the United States.—The United States in the exercise of its sovereignty, and as a part of its provision for the regulation, control and protection of commerce, may erect light-houses and in the exercise of its eminent domain, by observing the constitutional requirements of making due compensation therefor, seize and condemn the property of individuals for that purpose. (Ibid.)

Exercise of this right for national purposes not contemplated in creation of State governments.—The right of eminent domain in any sovereignty exists only for its own purposes; and to furnish machinery to the general government for it to appropriate lands for national objects is not among the ends contemplated in the creation of the State government. (Ibid.)

Consent of State not a condition precedent.—The consent of a State is not a condition precedent to the taking of lands by the general government. Its consent is required only for the purpose of a transfer of jurisdiction. (Ibid. See, also, Darlington *v.* United States, 82 Penn. St. Rep., 382; and Kohl *v.* United States, 91 U. S., 367.)

Private property can only be taken for public use, and whether or not a use is public is a question for the court. (Ibid. See, also, matter of Deansville Cemetery Association, 66 New York, 569; and matter of New York Central and Hudson River Railroad Company, 77 New York, 248.)

Constitutional law—Grants by State to the United States.—A State legislature may delegate the right of eminent domain to an agent of the United States for the purpose of obtaining land in such State as a

site for a post-office. (Burt, Petitioner, *v.* The Merchants' Insurance Company, 106 Mass. Rep., 356.)

NOTE.—The above case shows the power to be delegated to *an agent of the United States* and is not an exercise of power of eminent domain by the State for the purpose of turning the property over to the United States, for, as stated therein: "By an act of the legislature of Massachusetts an agent of the United States was authorized to purchase land in the State for the site of a Post-Office. The act provided that when the agent and the owners of the land could not agree upon the price there should be an appraisement made by a jury. *Held*, that in order to obtain the land and the appraisement, it was not necessary that the owner should first consent to a sale."

A State can not exercise it in behalf of the United States.—The United States may exercise the right of eminent domain within a State; but a State can not exercise it in behalf of the United States. The State may take the property of a citizen for public uses by virtue of its right of eminent domain, but it can not take it for the benefit of another sovereignty, for the use of the citizens of the later, nor can it delegate its right of eminent domain to another sovereignty for such purposes. (Darlington *v.* The United States, 82 Penn. St. Rep., 382, criticises Gilmer *v.* Lime Point, 18 Cal., p. 229, and Burt, Petitioner, *v.* The Merchants' Ins. Co., 106 Mass., 356, and declares the law to be well stated in Trombley *v.* Humphrey, 23 Mich., 471; also in Kohl *v.* The United States, 91 U. S., 367.)

The United States may exercise right in State court under a State law.—The State legislature may authorize proceedings in the State Courts on behalf of the Federal Government to acquire title to lands for a public use, the benefit of which is shared by the citizens of the State; and while the Federal Government may, as an independent sovereignty, condemn lands within a State for its use, by proceedings in its own courts, it may, as a petitioner in a State court, accomplish the same end through proceedings under a State law.

(In the matter of the Petition of the United States for the appointment of Commissioners, etc., 96 N. Y., 227.)

The supremacy of the Government of the United States.—The United States is a government with authority extending over the whole territory of the Union, acting upon the States and the people of the States. While it is limited in the number of its powers, so far as its sovereignty extends it is supreme. No State government can exclude it from the exercise of any authority conferred upon it by the Constitution, obstruct its authorized officers against its will, or withhold from it, for a moment, the cognizance of any subject which that instrument has committed to it. (Tennessee *v.* Davis, 100 U. S., 263.)

The power an incident of sovereignty.—The power to take private property for public uses, in the exercise of the right of eminent domain, is an incident of sovereignty, belonging to every independent government, and requiring no constitutional recognition and it exists in the Government of the United States. (United States *v.* Jones, Administrator et al., 109 U. S., 513.)

Compensation a constitutional limitation—How fixed and determined.—The liability to make compensation for private property taken for public uses is a constitutional limitation of the right of eminent domain. As this limitation forms no part of the power to take private property for public uses, the government of the United States may delegate to a tribunal, created under the laws of a State,

the power to fix and determine the amount of compensation to be paid by the United States for private property taken by them in the exercise of their right of eminent domain; or, it may, if it pleases, create a special tribunal for that purpose. (Ibid.)

Right of United States to make title by expropriation.—The United States may lawfully make title to land in one of the States by expropriation as of the eminent domain of such State, and with assent thereof. (Vol. 7, p. 114, Opins. Attys. Genl., Washington Aqueduct Case.)

When private property taken for public use, just compensation must be made to owner.—When property to which the United States assert no title, is taken by their officers or agents, pursuant to an act of Congress, as private property, for the public use, the government is under an implied obligation to make just compensation to the owner. (The United States *v.* Great Falls Manufacturing Company, 112 U. S., 645.)

Claim of owner for just compensation arises out of implied contract.—Such an implication being consistent with the constitutional duty of the government, as well as with common justice, the owner's claim for compensation is one arising out of implied contract, within the meaning of the Statute defining the jurisdiction of the Court of Claims, although there may have been no formal proceedings for the condemnation of the property to public use. (Ibid.)

The owner may elect to treat the taking of his property as an exercise of the right and demand compensation.—The owner may waive any objection he might be entitled to make, based upon the want of formal proceedings, and electing to regard the action of the government as a taking under its sovereign right of eminent domain, may demand just compensation for the property. (Ibid.)

Legislative and judicial domain distinguished.—Of the *necessity or expediency* of exercising the right of eminent domain in the appropriation of private property to public uses, the opinion of the legislature or of the corporate body or tribunal upon which it has conferred the power to determine the question, is conclusive upon the courts, since such a question is essentially political in its nature, and not judicial. But the question *whether the specified use is a public use or purpose*, or such use or purpose as will justify or sustain the compulsory taking of private property, is, perhaps, ultimately a judicial one, and, if so, the courts can not be absolutely concluded by the action or opinion of the legislative department. But if the legislature has declared the use or purpose to be a public one, its judgment will be respected by the courts, unless the use be palpably private, or the necessity for the taking plainly without reasonable foundation. But if the use be public, or if it be so doubtful that the courts can not pronounce it not to be such as to justify the compulsory taking of private property, the decision of the legislature, embodied in the enactment giving the power, that a necessity exists to take the property, is final and conclusive. (Dillon's Municipal Corporations, 4th Ed., Vol. 2, Sec. 600.)

National Park, Gettysburg Battlefield.—An appropriation by Congress for continuing the work of surveying, locating, and preserving the lines of battle at Gettysburg, Pa., and for purchasing, opening, constructing and improving avenues along the portions occupied by

the various commands of the armies of the Potomac and Northern Virginia on the field, and for fencing the same; and for the purchase, at private sale or by condemnation, of such parcels of land as the Secretary of War may deem necessary for the sites of tablets, and for the construction of the said avenues; for determining the leading tactical positions and properly marking the same with tablets of batteries, regiments, brigades, divisions, corps, and other organizations, with reference to the study and correct understanding of the battle, each tablet bearing a brief historical legend, compiled without praise and without censure, is an appropriation for a public use, for which the United States may, in the exercise of its right of eminent domain, condemn and take the necessary lands of individuals and corporations, situated within that State, including lands occupied by a railroad company. (United States *v.* Gettysburg Electric Railway Company, 160 U. S., 668.)

An implied power, necessary for the purpose of carrying powers expressly given into effect.—Congress has power to declare war and to create and equip armies and navies. It has the great power of taxation to be exercised for the common defense and general welfare. Having such powers, it has such other and implied ones as are necessary and appropriate for the purpose of carrying the powers expressly given into effect. Any act of Congress which plainly and directly tends to enhance the respect and love of the citizen for the institutions of his country and to quicken and strengthen his motives to defend them, and which is germane to and intimately connected with and appropriate to the exercise of some one or all of the powers granted by Congress must be valid. This proposed use (National Park, Gettysburg Battlefield) comes within such description. The provision comes within the rule laid down by Chief Justice Marshall in McCulloch *v.* Maryland (4 Wheat., 316, 421), in these words: "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional."

Limited appropriation does not render invalid the law provided for taking land, quantity necessary a legislative question.—The mere fact that Congress limits the amount to be appropriated for such purpose (National Park), does not render invalid the law providing for the taking of the land. The quantity of land which should be taken for such a purpose is a legislative, and not a judicial question. (160 U. S., p. 669.)

Acquisition of land for national cemeteries.—To authorize the acquisition by the exercise of the right of eminent domain, of private land for a national cemetery under Sections 4870, 4871, Revised Statutes, there must be (1) an existing appropriation, (in conformity with the rule of Sec. 3736, Rev. Stats.) authorizing the acquisition, and (2) the private owner must be unwilling to give title, or the Secretary of War be unable to agree with him as to price. (Dig. Opins. J. A. Genl., 1901, sec. 1769.)

Appraisement of land for national cemetery, when conclusive upon Secretary of War.—The appraisement of land for a national cemetery, as duly made by a United States Court under Sections 4871 and 4872, Revised Statutes, is conclusive upon the Secretary of War, who

must thereupon pay the appraised value as indicated in the latter section. If indeed there has been *fraud* in the valuation by which the court has been deceived in its decree, or its original appraisement is deemed *excessive*, it may properly be moved for a new appraisement on the part of the United States. (Ibid., sec. 1763, citing 14 Opins. Atty. Gen., 27.)

Express legislation of Congress necessary to the exercise of the right.—Authority to acquire land in a State, by the exercise of the right of eminent domain, whether by proceedings for condemnation in the United States Circuit Court or in the courts of the State, can be vested in an executive official of the United States, only by express legislation of Congress. (Ibid., sec. 2109.)

No general act of Congress making State courts an agency for condemning lands.—Held, that there was no general act of Congress making State courts an agency of the United States for the purpose of condemning lands, and that proceedings for this purpose should be had in a United States Court under an Act of Congress, or in a State court when such court has been by such Act made an agency for the purpose. (Ibid., sec. 1247.)

The United States may acquire title by judicial proceedings.—It is now well settled that whenever, in the execution of the powers granted to the United States by the Constitution, lands in any State are needed by the United States, for a fort, magazine, dockyard, light-house, custom-house, post-office, or any other public purpose, and can not be acquired by agreement with the owners, the Congress of the United States, exercising the right of eminent domain, and making just compensation to the owners, may authorize such lands to be taken, either by proceedings in the courts of the State with its consent, or by proceedings in the courts of the United States, with or without any consent or concurrent act of the State, as Congress may direct or permit. (Chappell *v.* United States, 160 U. S., 499, 509, and 510. Citing Harris *v.* Elliott, 10 Pet., 25; Kohl *v.* United States, 91 U. S., 367; United States *v.* Jones, 109 U. S., 513; Fort Leavenworth Railroad *v.* Lowe, 114 U. S., 525, 531, 532; Cherokee Nation *v.* Kansas Railway, 135 U. S., 641, 656; Monongahela Navigation Co. *v.* United States, 148 U. S., 312; Luxton *v.* North River Bridge Co., 147 U. S., 337, and 153 U. S., 525; Burt *v.* Merchants' Insurance Co., 106 Mass., 356; United States, Petitioners, 96 N. Y., 227.)

JURISDICTION.

Jurisdiction.—The Congress shall have power * * * "To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of Forts, Magazines, Arsenals, dock-yards and other needful buildings." (Clause 17, Sec. 8, of Art. 1 of Const. U. S.)

Same.—The exclusive jurisdiction in the District of Columbia and in forts, arsenals, etc., is distinct from the concurrent jurisdiction of the national government with that of the State which it has in the exercise of its powers of sovereignty in every part of the United State. (Ex parte Siebold, 100 U. S., 371.)

President to procure cession of jurisdiction, etc.—The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dock-yards and other needful buildings without such consent having been obtained. (Sec. 1838, U. S. Rev. Stats.)

Where United States can exercise a general jurisdiction.—Special provision is made in the constitution for the cession of jurisdiction from the States over places where the federal government shall establish forts, or other military works. And it is only in these places, or in the territories of the United States, where it can exercise a general jurisdiction. (New Orleans *v.* The United States, 10 Peters, p. 737.)

When jurisdiction limited.—When they acquire such lands in any other way than by purchase with the consent of the Legislature, their exclusive jurisdiction is confined to the erections, buildings and land used for the public purposes of the Federal Government. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 525.)

State can not, by use of power to tax, or police power, interfere with power conferred upon Congress by the Constitution.—Neither the unlimited powers of a State to tax, nor any of its large police powers, can be exercised to such an extent as to work a practical assumption of the powers properly conferred upon Congress by the Constitution. (Railroad Company *v.* Husen, 95 U. S., 465.)

Cession permitted by the Constitution of the United States.—The Constitution permits a State to cede to the United States jurisdiction over a portion of its territory. (Benson *v.* The United States, 146 U. S., 325.)

When conferred by the Constitution.—When the United States acquire lands within the limits of a State by purchase, with the consent of the Legislature of the State, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, the Constitution confers upon them exclusive jurisdiction of the tract so acquired. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 525.)

Jurisdiction over cemeteries.—From the time any State legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any national cemetery, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by Section eight, Article one, of the Constitution of the United States; and all provisions relating to national cemeteries shall be applicable to the same. (Sec. 4882, U. S. Rev. Stats.)

Act of Congress powerless to confer—Cession must be by State legislature.—Held, that, notwithstanding the provision in Section 4872, Revised Statutes, that the jurisdiction of the United States over land taken for a national cemetery, by the right of eminent domain, "shall be exclusive," such a jurisdiction, where the land is within a State, can not legally be vested in the United States, except by the cession of the State legislature. In the absence of such cession on the part of the State sovereignty, an Act of Congress must be powerless to confer such an authority. (Digest of Opins. J. A. Genl., 1901, sec. 1764. See 13 Opins. Attys. Genl., 131.)

National cemeteries.—The United States have over lands within a State held for national cemeteries or other public purposes, which were acquired by the former without the consent of the State, or over which the latter has not ceded its jurisdiction, only such jurisdiction as they have over other parts of the State wherein they possess no property interests.

The *mere ownership* of the land does not put the United States in a different position, as regards the matter of jurisdiction over it, than they occupied previous to its acquisition; nor is the situation of the State, with reference to the same matter, in any degree altered thereby. Strictly speaking, therefore, where the United States own land situated within the limits of a State, but over which they have not acquired jurisdiction from the State, they can not be said to have any local jurisdiction over such land. (Vol. 14, p. 557, Opins. Attys. Genl.)

Cession of Federal jurisdiction by States.—In construing the joint resolution of Congress passed September 11, 1841 (5 Stat., 408), it is said: Thus it appears that Congress understood "consent to the purchase" and "cession of jurisdiction" as concurrent, if not identical, facts; and rightfully; for the language of the Constitution is that Congress shall have power "to exercise *exclusive legislation* in all cases whatsoever, over such district, not exceeding 10 miles square, as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise *like authority* over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful public buildings." It is therefore thoroughly settled by numerous adjudications that all such Federal jurisdiction, as the Constitution contemplates, is acquired by the United States, in the mere consent of the State to the purchase; and that upon such consent, the jurisdiction of the State ceases, and that of Congress comes in by virtue of the Constitution. Phrases in legislative acts of the State retaining concurrent jurisdiction for certain purposes do not impair but confer on the United States the whole jurisdiction of the Constitution, that is, rights of Federal legislation coextensive with the subject matter. (Vol. 7, p. 628, Opins. Attys. Genl.)

Cession of jurisdiction in Florida.—The general act of the Florida Legislature, passed June 6, 1855, is a sufficient cession of jurisdiction over land purchased in that State by the Federal Government for public works. (Vol. 9, p. 94, Opins. Attys. Genl.)

How far State laws in force at Old Point Comfort.—The general laws of Virginia, other than criminal, which do not conflict with those of the United States relating to forts, and which do not interfere with the military control, discipline and use of Fortress Monroe, as a Military Post, are in full force at Old Point Comfort. (Crook, Horner & Co. *v.* Old Point Comfort Hotel Company, 54 Fed. Rep., 604.)

When Clause 17, Section 8, Article 1, Constitution of the United States applies.—Clause 17, Section 8, Article 1, Constitution of the United States, giving the United States exclusive jurisdiction over all places purchased by consent of the legislature of the State in which the

same shall be for the erection of forts, arsenals, etc., applies only to lands acquired by actual purchase accompanied by a cession of jurisdiction by the State; and where land is acquired directly from the State as owner by an act of cession (as in the case of Fortress Monroe) the constitutional provision does not apply, and the United States holds the land only as provided in the act of cession. (Ibid.)

Conditional cession (*"Point Peter" Case*).—The act of the legislatue of Georgia approved December 22, 1808, grants jurisdiction to the United States over all lands then acquired, or which may thereafter be acquired by them, for the purpose of erecting forts or fortifications in that State; but this is coupled with a proviso that "the said United States do or shall cause forts or fortifications to be erected thereon." The proviso may be construed to operate as a condition precedent, which renders it at least doubtful whether the cession of jurisdiction as to any land was intended to take effect *until* the erection of a fort or fortification thereon. (Vol. 18, p. 384, Opins. Attys. Genl.)

Can only be acquired by the United States in mode prescribed by the Constitution.—The right of exclusive legislation within the territorial limits of any state, can be acquired by the United States only in the mode pointed out in the constitution, by purchase, by consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. The essence of that provision is, that the state shall freely cede the particular place to the Unied States for one of the specific and enumerated objects. (The People against Godfrey, 17 Johnson's Rep., 225, 232.)

Fort Niagara Case (*no cession*).—The land on which Fort Niagara is erected, never having been actually ceded by this State to the United States, it still belongs to the State; and its courts have jurisdiction of all crimes or offenses against the laws of the State, committed within that fort, or its precincts; though it has been garrisoned by the troops of the United States, and held by them since its surrender by Great Britain, pursuant to the treaties of 1783, and 1794; for the United States acquired no territory within this State by virtue of those treaties. (Ibid.)

NOTE.—The foregoing decision was rendered in October, 1819. Since then the State Legislature, by an Act passed April 21, 1840, authorized the conveyance of title and cession of jurisdiction, and in accordance with said act the Governor executed a conveyance dated July 8, 1841. (See Fort Niagara.)

Rented lands for camp not within the terms of the Constitution.—Lands rented to the United States to be used temporarily as a camp, is not a place, within the terms of the Constitution of the United States, over which the United States have "sole and exclusive" jurisdiction. (United States *v.* Tierney, 1 Bond, 571, Circuit Court Southern District of Ohio.)

Legislative consent to the purchase by the United States establishes the jurisdiction (*Fort Trumbull, Conn., case*).—It is not questioned that the land is owned by the United States, or that the purchase was with the consent of the legislature of the State. There is wanting a formal deed of cession which the legislature intended should be executed on the part of the State. Such a formality is not necessary to

give jurisdiction. The purchase by the United States, and the consent of the legislature to the purchase, gave to Congress the exclusive power of legislation over the purchased land. (Const., U. S., Art. 1, Sec. 8.) A legislative consent to the purchase could be given either before or after the purchase, and such consent, whenever given, together with the fact of purchase, establishes the jurisdiction of the United States. (Vol. 13, p. 411, Opins. Attys Genl., citing 7 ibid., 628.)

Of State over navigable waters within its limits.—A State may exercise jurisdiction over navigable waters within its limits and subject persons and property thereon to the civil and criminal jurisdiction of its courts, in the absence of any prohibition in the National Constitution or laws. (People *v.* Welch, 141 N. Y., 266.)

Constitutional law—Jurisdiction of State courts—When excluded by the action of Congress.—Whenever it is within the power of Congress to legislate, it is competent for it to exclude the jurisdiction of the State courts in respect to all subjects over which legislative action is authorized. To exclude the jurisdiction of State Courts over matters within their ordinary jurisdiction, the intention of Congress to exercise this power should be distinctly manifested, and the legislation relied upon should be clear and unambiguous. There must be express words of exclusion or a manifest repugnancy to the exercise of State authority over the subject. (Ibid.)

Constitutional conditions.—The constitutional conditions are two—purchase by the United States and consent of the legislature of the State. By that consent the State voluntarily and knowingly parts with its jurisdiction. It is not lost on the mere ownership by the United States. Vol. 6, p. 577, Opins. Attys. Genl., citing The People *v.* Godfrey, 17 Johnson's Rep. 255, and Commonwealth *v.* Young, Bright's Rep., 302.)

Object and legal effect of State's reservation to serve process.—It is well settled that the sole object and only legal effect of such reservations by the State (such as retaining concurrent jurisdiction for service of process, etc., not incompatible with the grant) is to prevent these places from becoming a sanctuary for fugitives from justice for acts done within the acknowledged jurisdiction of the State. (Ibid.) (Citing United States *v.* Cornell, 2 Mason, p. 60; United States *v.* Davis, 5 Mason, p. 356; Commonwealth *v.* Clary, 8 Mass., p. 72, and Mitchell *v.* Tibbetts, 17 Pickering, p. 298.)

Is conferred by the Constitution upon the Federal Government over lands within a State acquired by purchase.—Exclusive jurisdiction is conferred upon the Federal Government by the Constitution of the United States over land within a State acquired by its purchase with the consent of the State's legislature. The reservation by the State that civil and criminal process of its courts may be served within the limits so acquired, is not incompatible with the exclusive jurisdiction of the Federal Government but is made to prevent such places from becoming sanctuaries for debtors and criminals. (Foley, etc., *v.* Shriver, etc., 81 Va., p. 568; citing the following: Fort Leavenworth Railroad Company *v.* Lowe, 114 U. S., 525; United States *v.* Cornell, 2 Mason, 60; Commonwealth *v.* Clary,

8 Mass., 72; Mitchell *v.* Tibbetts, 17 Pickering, 298, and Sinks *v.* Reese, 19 Ohio State Rep., 306.)

Same.—"The National Home for Disabled Volunteer Soldiers," situated within the limits of Elizabeth City County, in this State (Virginia), upon land purchased by the United States with the consent of the State legislature, is a corporation created under the laws of Congress, and is under the exclusive jurisdiction of the Federal Government. Its officers are disbursing officers of the United States, and the funds in their hands as such, can not be attached or garnisheed under process from a State court. (Ibid.)

When grant of power to Congress excludes right of State.—The grant of power to Congress excludes the right of the State over the same subject only where the grant is in express terms an exclusive authority to the Union, or where the grant to Congress is coupled with a prohibition to the States to exercise the same power, or where the grant to the one would be repugnant to the exercise of a similar authority by the other. (Weaver *v.* Fegely, 29 Pa. State Rep., 27.)

Mere purchase of lands by United States does not oust jurisdiction of State.—The purchase of lands by the United States for public purposes, within the territorial limits of a State, does not of itself oust the jurisdiction or sovereignty of such State over such lands so purchased. (United States *v.* Cornell, 2 Mason, 60, Circuit Court, District of Rhode Island, November Term, 1819.)

Same.—Exclusive jurisdiction is the necessary attendant upon exclusive legislation. (Ibid.)

Consent of State to purchase of lands by the United States carries with it exclusive jurisdiction.—The Constitution of the United States declares that Congress shall have power to exercise "exclusive legislation" in all "cases whatsoever" over all places purchased by the consent of the legislature of the State in which the same shall be for the erection of forts, magazines, arsenals, dockyards, and other needful buildings. When, therefore, a purchase of land for any of these purposes is made by the national government, and the State legislature has given its consent to the purchase, the land so purchased by the very terms of the Constitution, ipso facto, falls within the exclusive legislation of Congress, and the State jurisdiction is completely ousted. (Ibid. Reaffirmed June Term, 1820.)

Must be free from interference of State—Exemption from State control essential to the sovereign authority of the United States.—When the United States acquire lands within the limits of a State, with the consent of the legislature of the State, for the erection of forts, arsenals, dock-yards, and other needful buildings, the Constitution confers upon them exclusive jurisdiction of the tract so acquired; but when they acquire such lands in any other way than by purchase with the consent of the legislature they will hold the lands subject to this qualification; that if upon them forts, arsenals or other public buildings are erected for the use of the General Government, such buildings with their appurtenanaces, as instrumentalities for the execution of its powers will be free from any such interference and jurisdiction of the State as would destroy or impair their effective use for the purposes designed. Such is the law with reference to all instrumentalities created by the General Government.

Their exemption from State control is essential to the independence and sovereign authority of the United States within the sphere of their delegated powers. But when not used as such instrumentaltites, the legislative power of the State will be as full and complete as over any other places within her limits. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 525, 539.)

When exclusive jurisdiction suspended.—A lease by the United States to a city for market purposes, of vacant land which was a part of land ceded by the State to the United States for the purpose of a navy-yard and naval hospital with a provision that the United States may retain such use and jurisdiction no longer than the premises are used for such purposes, operates, at least while the lease is in force, to suspend the exclusive authority and jurisdiction of the United States over the leased land, and thereby makes it subject to the jurisdiction of State courts in an action of ouster therefrom. (Palmer *v.* Barrett, 166 U. S., 399.)

Of United States over reservations in Territories paramount—To retain exclusive jurisdiction it must be reserved by Congress when admitting such Territory as a State.—Over lands reserved for military or other governmental purposes in the Territories the jurisdiction of the United States is necessarily paramount. When a Territory is admitted as a State it is within the power of Congress to stipulate for the power of exclusive jurisdiction over such reservations, or to exempt them from the jurisdiction of the State. Failing to do this, however, the State can exercise such authority and jurisdiction over them as over similar property held by private individuals; and the United States can acquire exclusive jurisdiction only when the same has been formally ceded by the legislature of the State in which the lands are situated. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 525.)

When the United States and State have concurrent jurisdiction.—The same offence may be made punishable both under the laws of the State and of the United States and over such offences the State and federal courts have concurrent jurisdiction. In cases of concurrent jurisdiction the court that first gets control of the subject-matter will continue to exercise jurisdiction until judgment, without molestation or interference from the other; this is the proper course to pursue in criminal as well as civil cases. (United States *v.* Wells, District Court, District of Minnesota, January, 1872.)

How lost and restored.—Jurisdiction over the lands lying within the limits of the military reservation of Fort Leavenworth passed from the United States to the State of Kansas under the operation of the act of June 22, 1861, Chapter 20, admitting that State into the Union; and to restore such jurisdiction to the United States, a cession thereof by the State is necessary. (Vol. 14, p. 33, Opins. Attys. Genl.)

Use of military reservation can not be inquired into upon a question of.—The land claimed by the Secretary of the Interior (part of the Fort Leavenworth Military Reservation) as a portion of the territory allotted to the Deleware tribe of Indians never was a portion of said territory, but was legally reserved by the President for military purposes. (United States *v.* Stone, 2 Wall., p. 525.) In Benson *v.* The United States, the court, after citing above case, say: "The char-

acter and purposes of its occupation having been officially and legally established by that branch of the government, which has control over such matters, it is not open to the courts, on a question of jurisdiction, to inquire what may be the actual uses to which any portion of the reserve is temporarily put." (Benson *v.* The United States, 146 U. S. Rep., p. 331.)

How far a State may prescribe conditions to the cession of.—A State may cede to the United States exclusive jurisdiction over land within its limits in a manner not provided for in the Constitution of the United States, and may prescribe conditions to the cession, if they are not inconsistent with the effective use of the property for the purposes intended. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S. Rep., 525.)

The subject of "Jurisdiction" has been further treated in an opinion of the Judge Advocate General of the Army, rendered September 28, 1897, as follows:

"Jurisdiction over territory in a State may be acquired by the United States, under the seventeenth clause of section 8 of article 1 of the Constitution, by the purchase of such territory, with the consent of the State, 'for the erection of forts, magazines, arsenals, dockyards and other needful buildings.' The Constitution gives Congress the power of exercising exclusive legislation over such place, and this is held to mean exclusive jurisdiction. The State's consent to the purchase for any one of these constitutional purposes invests the United States with exclusive jurisdiction, and the State can not, even by the express language of its legislation, reserve to itself any part of this jurisdiction. (The reservation of the right of serving process for causes of action arising outside such territory is not held to be an actual reservation of a part of the exclusive jurisdiction intended to be vested in the United States.) But it would seem that this is only true when the purchase is for one of the constitutional purposes. By correct construction, 'other needful buildings' would mean buildings of the same character as those specified—buildings intended for military or defensive purposes. A more comprehensive meaning has, indeed, been sometimes given to the expression, but no justification for such construction is found.

"In Pinckney's draft of a constitution there was this clause: 'To provide such dockyards and arsenals and erect such fortifications *as may be necessary for* the United States, and to exercise exclusive jurisdiction therein.' (This draft was submitted May 29, 1787.)

"There was no corresponding provision in the Constitution reported by the committee of detail, August 6, but the committee of eleven, by report of September 5, recommended the adoption of the clause as it now reads, except that it did not have the words, 'by the consent of the legislature of the State.' In the debate on the proposition Mr. Gerry contended that this power might be made use of to enslave any particular State by buying up its territory, and that the *strongholds proposed* would be a means of awing the State into an undue obedience to the general government. Mr. King thought himself the provision unnecessary, the power being already involved; but would move to insert, after the word 'purchased,' the words 'by the consent of the legislature of the State.' This would certainly make the power safe. (5 Elliot's Debates, 511.)

"And in the Federalist (No. 43) it is said: 'Nor would it be proper for the places on which the *security* of the entire Union may depend to be in any degree dependent on a particular member of it.'

"So Story says (section 1224): 'The other part of the power, giving exclusive legislation over places ceded for the erection of forts, magazines, etc., seem still more necessary for the public convenience and safety. The public money expended on such places, and the public property deposited in them, and the nature of the military duties which may be required there, all demand that they should be exempted from State authority. In truth, it would be wholly improper that places on which the security of the entire Union may depend should be subject to the control of any member of it. The power, indeed, is wholly unexceptionable, since it can only be exercised at the will of the State; and therefore it is placed beyond all reasonable scruple. Yet it did not escape without the scrutinizing jealousy of the opponents of the Constitution, and was denounced as dangerous to State sovereignty.'

"And, as observed by Judge Seaman (In re Kelly, 71 Fed. Rep., 545, 549):

"'The rule thus stated, whereby legislative consent operates as a complete cession, is applicable only to objects which are specified in the above provision, and can not be held to so operate, ipso facto, for objects not expressly included therein. Whether it rests in the discretion of Congress to extend the provision to objects not specifically enumerated, although for national purposes, upon declaration as "needful buildings," and thereby secure exclusive jurisdiction, is an inquiry not presented by this legislation (see 114 U. S., 541); and I think it can not be assumed by way of argument that such power is beyond question. In New Orleans *v.* United States (10 Pet., 662, 737) the opinion of the Supreme Court is expressed by Mr. Justice McLean, without dissent, as follows:

"'"Special provision is made in the Constitution for the cession of jurisdiction from the States over places where the Federal government shall establish forts or other military works. And it is only in these places, or in the territories of the United States, where it can exercise a general jurisdiction."'

"And in United States *v.* Bevans (3 Wheat., 336, 390) the claim was urged that the words 'other place' would include a ship of war of the United States lying at anchor in Boston harbor, and bring it within the statute defining murder committed 'within any fort, arsenal, dockyard, magazine, or in any other place or district of country under the sole jurisdiction of the United States;' but it was stated by the court, through Chief Justice Marshall, that 'the construction seems irresistible that by the words "other place" was intended another place of a similar character with those previously enumerated;' that 'the context shows the mind of the legislature to have been fixed on territorial objects of a similar character.' (See, also, The Federalist, No. 43, by Madison.)

"Section 355 of the Revised Statutes prescribes that no public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, light-house, or other building, of any kind whatever, until the * * * consent of the

legislature of the State in which the land or site may be, to such purchase, has been given. This section is in part based on the clause of the Constitution referred to, and in part not. The consent of the State to a purchase, given in order to satisfy the requirement of this section, would invest the United States with exclusive jurisdiction, if the purchase be for one of the constitutional purposes; but the section provides for other purposes also, and as to these it would seem that a simple consent to the purchase (assuming that such consent, being for a purpose not falling under the clause of the Constitution, amounts to a cession of jurisdiction) would only carry with it so much jurisdiction as would be necessary for the purpose of the purchase. Probably this would be held to be concurrent jurisdiction. Taking into consideration the fact that States can not, under any circumstances, interfere with the instrumentalities of the government of the United States, it may, indeed, be questioned whether, even under this view, unnecessary precautions have not been taken in regard to the acquisition of jurisdiction; and certainly it can not be presumed that a State intends to part with more of its sovereignty than is necessary. A consent to the purchase, under section 355, Revised Statutes, if the purchase be for other than one of the purposes described in the clause of the Constitution, may, therefore, be accompanied with any limitations not interfering with an instrumentality of the government of the United States.

"The most common way of acquiring jurisdiction, however, is by the State's expressly ceding it to the United States. In such case the State may make similar limitations, and this even if the place be used by the United States for one of the purposes mentioned in the clause of the Constitution. To bring the case under the clause there must be a purchase with consent. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 539; Chicago and Pacific Ry. Co. *v.* McGlinn, 114 U. S., 542; Benson *v.* U. S., 146 U. S., 331; in re Kelly, 71 Fed. Rep., 545; in re Ladd, 74 Fed. Rep., 399.)" (Dig. Opins., J. A. G., 1901, sec. 672.

Award—Submission not binding unless authorized by act of Congress.—No officer of the United States has authority to enter into a submission in their behalf, which shall be binding on them, unless the power is given by a special act of Congress. (United States *v.* Ames, 24 Fed. Cases, p. 784.)

Same—Can not be pleaded in bar of an action of trespass unless authorized by Congress.—The United States had machinery in operation, carried by water, on land which had been sold to them, and over which jurisdiction had been ceded to them by the State of Massachusetts. A owned mills above and below them on the same stream, and the dam of each party flowed back so as to obstruct the other. A submission of the matters in dispute was entered into by A on the one part and by the District Attorney, authorized by the Solicitor of the Treasury, or War Department, on the other part, but without any authority from Congress; and an award was made thereon, prescribing the height of the dam. The United States afterwards brought an action of trespass against A for flowing their land. He pleaded a special bar of the award, alleging that he had complied with its terms. On general demurrer *it was held* that the special plea could not be sustained. (Ibid.)

When State legislature can not interfere with exercise of exclusive jurisdiction by Congress.—Whenever the terms in which a power is granted by the Constitution or the nature of the power itself, requires that it should be exercised exclusively by Congress, State legislature can not interfere. (Sturgis *v.* Crowninshield, 4 Wheat., 122.)

Effect of reservation of concurrent jurisdiction by State to serve process.—Where a State grants land to the general government, reserving to it a concurrent jurisdiction in executing process therein, for offences committed out of it, the federal courts have exclusive jurisdiction of offences committed within such territory. (United States *v.* Travers, 28 Fed. Cases, p. 204. See United States *v.* Penn., 48 Fed. Rep., 669.)

The lex rei sitæ governs when no cession by State, except when in conflict with the Constitution, treaties, or statutes of the United States.—When the United States own land, situated within the limits of particular States, and over which they have no cession of jurisdiction, for objects either special or general, the rights and remedies in relation to it are usually such as apply to other landowners within the State, and the *lex rei sitæ* will govern; except where the Constitution, treaties or Statutes of the United States, otherwise require and provide. (United States *v.* Ames, 24 Fed. Cases, p. 784.)

The Territory belonging to the United States over which jurisdiction has been ceded, subject to laws of Congress and not to those of State—Exception.—The territory belonging to the United States, not situated within the limits of any State, is subject to the laws of Congress. That within such limits, but over which jurisdiction has been ceded to the United States, and which is used for exclusive and constitutional objects, is likewise subject to said laws, and not to those of the State, except when they were enacted before the cession of jurisdiction and do not conflict in any degree with what has been required or provided by the general government. (Ibid.)

When United States may resort to common law or laws of States for injuries to public property.—The United States, in cases when Congress has not provided any or adequate remedies for injuries to public property, may resort to those of common law origin, or those provided by the law of the several States. (Ibid.)

Same.—But in places over which jurisdiction has been ceded to the United States the State laws can not be permitted to thwart or embarrass the object of the session. (Ibid.)

Case in point.—It seems the laws of Massachusetts respecting flowage do not apply to the case of machinery used by the United States for public purposes, in a place over which jurisdiction has been ceded to the United States, so as to authorize a mill owner to flow back in a way to impair in any degree the use of the machinery. (Ibid.)

State courts can not take cognizance of offences committed upon lands belonging to the United States purchased with consent of State.—The Courts of the Commonwealth can not take cognizance of offences committed upon lands in the town of Springfield, which have been purchased by the United States for the purpose of erecting arsenals, etc., to which the consent of the Commonwealth was granted

by the Statute of 1798, Chapter 13. (Commonwealth *v.* Clary, 8 Mass., 72.) The Chief Justice, in delivering the opinion of the court, said: "We are of opinion that the territory, on which the offence charged is agreed to have been committed, is the territory of the United States, over which the Congress have the exclusive power of legislation. The assent of the commonwealth to the purchase of this territory by the United States, had this condition annexed to it—that civil and criminal process might be served therein by the officers of the Commonwealth. This condition was made with a view to prevent the territory from becoming a sanctuary for debtors and criminals; and from the subsequent assent of the United States to the said condition, evidenced by their making the purchase, it results that the officers of the Commonwealth, in executing such process, act under the authority of the United States. No offences committed within that territory, are committed against the laws of this Commonwealth; nor can such offences be punishable by the courts of the Commonwealth unless the Congress of the United States should give to the said courts jurisdiction thereof. * * * An objection occurred to the minds of some members of the court that if the laws of the Commonwealth have no force within this territory, the inhabitants thereof can not exercise any civil or political privileges, under the laws of Massachusetts, within the town of Springfield. We are agreed that such consequence necessarily follows, and we think that no hardship is thereby imposed on those inhabitants; because they are not interested in any elections made within the State, or held to pay any taxes imposed by its authority, nor bound by any of its laws. And it might be very inconvenient to the United States to have their laborers, artificers, officers, and other persons employed in their service, subjected to the services required by the Commonwealth of the inhabitants of the several towns. It will be noticed that in this decision we make a distinction between persons who actually dwell within the territory owned by the United States, and the laborers and artificers employed therein, who have their dwelling elsewhere."

Reservation to serve process by State operates as a condition of the grant.—It seems that a reservation on a cession of concurrent jurisdiction to serve process, civil and criminal, in the ceded place, does not exclude the exclusive legislation or exclusive jurisdiction of the United States over the ceded places. It merely operates as a condition of the grant. (United States *v.* Davis, 5 Mason, 356, Circuit Court, Eastern District, Mass.)

Liquor or beer introduced at a military post situated upon an Indian Reservation over which the United States have exclusive jurisdiction not subject to operation of State laws.—Where certain beer, alleged to be intoxicating, was attempted to be introduced at the post of Fort Yates, situated upon an Indian Reservation in North Dakota, exclusive jurisdiction over which is vested in the United States, *held*, that the admission or sale of such liquor would be an offense against the United States, not against the state, since the Act of August 8, 1890, providing that intoxicating liquor shipped into a state shall be subject to the operation of the state laws as soon as it enters the territory of the state, can not apply to a district over which the United States has exclusive jurisdiction, and therefore that the state authorities would not be empowered to make a *seizure* of such beer. (Digest Opins. J. A. Genl., 1901, sec. 2287.)

Grant of right of way across military reservation does not oust exclusive jurisdiction.—Held, that the Act of Congress granting to the West Shore Railroad Company a right of way across a part of the military reservation at West Point, N. Y., did not operate to oust, as to such way, the exclusive jurisdiction over the reservation previously ceded by the State to the United States. It simply imposed upon the military authorities the duty of not interfering with the legitimate use of its right by the railroad company. (Ibid., sec. 687.)

Consent to purchase may be given by general act of the State.—A State may give consent by one general Act, prospective in terms and covering all future purchases by the United States. (Vol. 15, p. 480, Opins. Attys. Genl.)

Evidence—County records inadmissible to prove cession.—Where the statutes of a State provide that certain copies or certificates of archives of the State department shall be received in evidence in all cases in which the originals would be evidence, an original record book of a County in which the cession of lands to the United States for a fort has also been recorded is not admissible in evidence to establish such cession. (Lasher *v.* The State, 30 Texas Appeals, 387.)

Of State courts over crimes committed in places ceded to the United States.—When a State cedes to the United States lands for forts, etc., reserving concurrent jurisdiction to serve State process, civil and criminal, in the ceded places, such reservation merely operates as a condition of the grant, and does not defeat the exclusive jurisdiction of the United States over such place, and the State courts have no jurisdiction of crimes committed therein. (Ibid.)

Judicial notice taken of cession of portion of territory of State.—The cession of a portion of the territory of a State to exclusive foreign jurisdiction and control is one of the highest acts of sovereignty affecting the people of the State at large, and courts of the State will take judicial knowledge of the fact of cession, and that crimes committed within the ceded territory are beyond the jurisdiction of the State courts. (Ibid.)

Effect of cession by State—New restrictions.—An act of the legislature of a State ceding to the United States the jurisdiction of the State over a tract of land used as a military reservation, upon condition that such jurisdiction shall continue only so long as the United States shall own and occupy such reservation; that the State shall have the right, within the reservation, to serve civil process, and to execute criminal process against persons charged with crime committed within the State; and that roads may be opened and kept in repair within such reservation, cedes to the United States the entire political jurisdiction of the State over the place in question, including judicial and legislative jurisdiction, except as to service of process and opening of roads, and the same can not be affected or further limited, without the consent of the United States, by a subsequent act of the State legislature attempting to impose additional restrictions on the jurisdiction ceded. (In re Ladd, 74 Fed. Rep., 31.)

Judicial officers.—After such cession a Justice of the Peace, acting under authority of the State, has no jurisdiction over the ceded territory in matters of alleged criminal violation of the laws of the State committed on such territory. (Ibid.)

Civil and criminal laws.—While, after such cession, the municipal laws of the State governing property and property rights continue in force in the ceded territory, except so far as in conflict with the laws and regulations of the United States applying thereto, the criminal laws of the State cease to be of force within the ceded territory, and laws regulating the sale of intoxicating liquors, requiring a license therefor, and punishing unlicensed sales, cease to be operative, both as in conflict with the regulations of the United States governing military reservations and as penal in their character. (Ibid.)

Cession of, when United States can not accept.—The United States can not accept a cession of jurisdiction from a State coupled with a conditon that crimes committed within the limits of the jurisdiction ceded, shall continue to be punishable by the courts of the State for the reason that such a reservation, or condition, is distinctly incompatible with the provisions of the penal acts of Congress, and would obstruct, if not defeat, the execution of those acts, and also, because such condition is inconsistent with any possible construction of that "exclusive" jurisdiction, which, according to the letter and intent of the Constitution, are in such cases, to be vested in the United States. (Vol. 8, p. 418, Opins. Attys. Genl.)

Of State—When it ceases—Status of inhabitants of ceded places—Effect of no cession by State.—The States can not take cognizance of any acts done in the ceded places after the cession; and, on the other hand, the inhabitants of those places cease to be inhabitants of the State and can no longer exercise any civil or political rights under the laws of the State. But if there has been no cession by the State of the place, although it has been constantly occupied and used, under purchase, or otherwise, by the United States for a fort, arsenal, or other constitutional purpose, the State jurisdiction still remains complete and perfect. (Story on the Constitution, Vol. 2, Sec. 1227.)

Jurisdiction, when vests in the United States.—"Exclusive Legislation" signifies exclusive jurisdiction; and this follows even although the legislature of the State, in its act assenting to the purchase, have not expressly ceded such jurisdiction. It vests in the United States by virtue of the Constitution. (Sergeant's Constitutional Law, 350, cited in Vol. 6, p. 577, Opins. Attys. Genl.)

When express terms ceding "Exclusive" jurisdiction must be used.—It appears indisputable that all State jurisdiction is not excluded from every parcel of land purchased by the general government in a State with legislative consent, irrespective of its use; and, therefore, that if the purpose is not one of those distinctly named in the clause of the Constitution, the act of Congress which provides for the purchase and requires the legislative consent must, in some unequivocal terms, declare that exclusive jurisdiction is intended and necessary for the proposed use, or at least the purpose stated must be one of which it is manifest that any exercise of coordinate or other jurisdiction would be incompatible therewith. (In re Kelly, Circuit Court, Eastern District of Wisconsin, Dec. 27, 1895, 71 Fed. Rep., 545.) Decides, also, that the clause of the Constitution upon which the Ohio (Sinks *v.* Reese, 19 Ohio State, 306) and Virginia (Foley *v.* Shriver, 81 Virginia, 568) decisions mainly rest their view of the State enactments, respectively, is not applicable to this Wisconsin case and can not be invoked to exclude the exercise of State jurisdic-

tion, citing the following: United States *v.* Bevans, 3 Wheaton, 336; New Orleans *v.* United States, 10 Peters, 662, 737; Fort Leavenworth Railroad Company *v.* Lowe, 114 U. S., 525; Railroad Company *v.* McGlinn, 114 U. S., 542; People *v.* Godfrey, 17 Johnson, 225; Crook, Horner & Co. *v.* Old Point Comfort Hotel Company, 54 Fed. Rep., 604.

Of State courts over trespasses committed on land ceded to the United States.—When Congress has made no new regulations touching the administration of justice in civil cases with respect to actions arising within territory which a State has ceded to the Federal government for the purpose of a Navy-Yard, the laws of the State in force at the time of the cession, and the jurisdiction of its courts in regard to private rights and remedies, remain unchanged and unaffected by the act of cession. (Barrett *v.* Palmer, 135 N. Y., p. 336.)

Status of persons residing on ceded places.—Persons residing on places so ceded are, in many respects, exterritorialized, so as not to be subject to personal taxation by the State, not to acquire a pauper settlement therein, not to be entitled to its public schools, nor to the enjoyment of its elective franchise. Of course the *property* of the United States in such places is not subject to the jurisdiction of the State. Such ceded lands within a State are not to be made places of refuge from its civil or criminal jurisdiction, or of escape from civil obligations due to any of its inhabitants. (Vol. 7, p. 628, Opins. Attys. Genl.)

Same.—It was held that the persons in the employment of the United States actually residing in the limits of the Armory at Harper's Ferry do not possess the civil and political rights, nor are they subject to the tax and other obligations, of citizens of the State of Virginia. (Vol. 6, p. 577, Opins. Attys. Genl.)

Residents on military reservations, where jurisdiction has been ceded, not entitled to privileges of public schools, but must pay for tuition if availed of, if charge is made by local authorities.—Residents on a military reservation over which exclusive jurisdiction has been ceded by the State to the United States are not entitled to the use of the public schools, nor can they legally be taxed for their support. But if allowed to avail themselves of such schools, and they send their children to them, they can not avoid paying such charge as the local authorities may impose in regulating admissions. Thus *held* that officers stationed at Fort Trumbull, Conn., were not exempt from paying the fee exacted by the City of New London in cases where parents elect to send their children to a school in a district different from that in which they reside. (Digest of Opins. J. A. Genl., 1901, sec. 688.)

Same.—Status of persons residing on territory purchased by the United States with consent of the legislature of the State.—By becoming a resident inmate of the asylum, (Soldiers' Home), a person though up to that time he may have been a citizen and resident of Ohio, ceases to be such; he is relieved from any obligation to contribute to her revenues, and is subject to none of the burdens which she imposes upon her citizens. He becomes subject to the exclusive jurisdiction of another power as foreign to Ohio as is the State of Indiana or Kentucky or the District of Columbia. The Constitution

of Ohio requires that electors shall be residents of the State; but under the provisions of the Constitution of the United States, and by the consent and act of cession of the legislature of this State, the grounds and buildings of this asylum have been detached and set off from the State of Ohio, and ceded to another government, and placed under its exclusive jurisdiction for an indefinite period. We are unanimously of the opinion that such is the law, and with it we have no quarrel; for there is something in itself unreasonable that men should be permitted to participate in the government of a community, and in the imposition of charges upon it, in whose interests they have no stake, and from whose burdens and obligations they are exempt. (John F. Sinks *v.* David W. Reese, 19 Ohio St. Rep., 316, citing Commonwealth *v.* Clary, 8 Mass., 72, and other authorities.)

NOTE.—It would seem that Congress recognized the force of the decision in Sinks *v.* Reese, supra, by the passage of an Act approved January 21, 1871, wherein jurisdiction was ceded to the State of Ohio and relinquished by the United States (16 Stat., 399). But see In re O'Conner (37 Wis., 379) and In re Kelly (Circuit Court Eastern Dist. Wisconsin Dec. 17, 1895), where jurisdiction having been ceded by the State Legislature of Wisconsin in almost the same language, it was held, that the criminal laws of the United States which apply only to places within their exclusive jurisdiction are not operative, the lands not having been acquired for any of the purposes specified in the Constitutional provision.

Status of persons residing on military reservations.—The House of Representatives of Massachusetts submitted the following questions to the Justices of the Supreme Judicial Court:

1. Are persons residing on lands purchased by, or ceded to the United States, for navy-yards, arsenals, dock-yards, forts, light-houses, hospitals, and armories, in this Commonwealth entitled to the benefits of the State common schools for their children, in the towns where such lands are located?

2. Does such residence exempt such persons from being assessed for their polls or estate, in the towns in which such places are located?

3. Will such residence for the requisite length of time give such persons or their children a legal inhabitancy in such towns, or in the Commonwealth?

4. Are persons so residing entitled to the elective franchise in such towns?

The Court in discussing the questions say: The Constitution of the United States, Article 1, Section 8, provides that Congress shall have power to exercise exclusive legislation in all cases whatsoever, over all places purchased by the consent of the legislature of the State in which the same shall be for the erection of forts, magazines, arsenals, dock-yards and other needful buildings. The jurisdiction in such cases is put upon the same grounds as that of the district ceded to the United States for the seat of government, and, unless the consent of the several States is expressly made or limited by the act of cession, the exclusive power of legislation implies an exclusive jurisdiction; because the laws of the several States no longer operate within those districts. They were of opinion that where the general consent of the Commonwealth is given to the purchase of territory by the United States, for forts, and dock-yards, and where there is no other condition or reservation in the act granting such consent, but that of a concurrent jurisdiction of the State for the service of civil process, and criminal process against persons charged with crimes committed

out of such territory—the Government of the United States have the sole and exclusive jurisdiction over such territory, for all purposes of legislation and jurisprudence, with the single exception expressed, and consequently, that no persons are amenable to the laws of the Commonwealth for crimes and offences committed within said territory, and that persons residing within the same do not acquire the civil and political privileges nor do they become subject to the civil duties and obligations of inhabitants of the towns within which such territory is situated. The Court, applying the opinion above stated, answered the questions categorically as follows:

1. We are of opinion that persons residing on lands purchased by, or ceded to, the United States for navy-yards, forts and arsenals, when there is no other reservation of jurisdiction to the State, than that above mentioned, are not entitled to the benefits of the common schools for their children, in the towns in which such lands are situated.

2. We are of opinion that such residence does exempt such persons from being assessed for their polls and estates to State, county and town taxes in the towns where such places are situated.

3. Understanding as we do, by the terms of this question, that the term "legal inhabitancy" is used synonymously with "legal settlement," for the purpose of receiving support under the laws of this Commonwealth for the relief of the poor, we are of opinion that such residence, for any length of time will not give such persons or their children a legal inhabitancy in such town.

4. We are also of opinion that persons residing in such territory do not thereby acquire any elective franchise as inhabitants of the towns in which such territory is situated. (See 1 Metcalf's Rep., p. 580.)

Defective cession of.—Where a State's consent to the purchase of land by the United States provides that the State shall forever retain concurrent jurisdiction over any such place to the extent that all *legal and military* process issued under the authority of the State may be executed anywhere on such place or in any building thereon or any part thereof, and that any offence against the laws of the State, committed on such place, may be tried and punished by any competent Court or Magistrate of the State, it does not satisfy the provisions of Section 355, Revised Statutes. (Vol. 20, p. 611, Opins. Attys. Genl.)

State courts—Lands owned by Federal Government.—Constitution of the United States, Article 1, Section 8, clause 17, providing that "Congress shall have power to exercise exclusive legislation in all cases whatsoever * * * over all places purchased" from a State, does not deprive the State courts of jurisdiction to try actions arising from civil wrongs committed by private persons in such places.—Madden *v.* Arnold, 47 New York Supp., 757.

The foregoing case of Madden *v.* Arnold is discussed by General G. Norman Lieber, Judge-Advocate-General, United States Army, in the American Law Review (Vol. 32, No. 1, January and February, 1898), in the following article:

"*Cession of Jurisdiction by States to the United States.*—The recent case of Madden *v.* Arnold, in the appellate division of the Supreme Court of New York, materially helps to explain the relation of a State to the United States as to its jurisdiction over causes of action, other than criminal, arising within the territory jurisdiction

over which has been ceded by it to the United States. It is only within recent years that this subject has been placed in its true light, the leading case being Fort Leavenworth R. R. Co. *v.* Lowe (114 U. S., 539). This case was followed by Chicago and Pacific Ry. Co. *v.* McGlinn (114 U. S., 549), Benson *v.* U. S. (146 U. S., 331), In re Kelly (71 Fed. Rep., 545), In re Ladd (74 Fed. Rep., 399), Palmer *v.* Barrets (162 U. S., 399), and now by Madden *v.* Arnold (47 N. Y. Suppl., 757).

"By the Constitution, the United States are invested with the power of exclusive legislation (jurisdiction) over all places purchased by the consent of the State in which they are, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. When a place is purchased with the consent of the State, for one of the specified purposes, this carries jurisdiction with it. Precisely what would be included under the head of 'other needful buildings' is not clear, but it would seem that originally buildings of the same character as those mentioned were intended—that is, buildings for military or defensive purposes. (Story Const., Sec. 1224.) There could not be coupled with such a consent to purchase, a condition which would be inconsistent with the exclusive jurisdiction of the United States.

"But when jurisdiction over territory in a State is obtained, not by the purchase with consent, but by express cession of jurisdiction, this, being different from the constitutional method, may be accompanied with conditions, even though the territory be acquired for one of the purposes mentioned. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 539; Benson *v.* U. S., 146 U. S., 331.)

"Madden *v.* Arnold makes clear the right of the States to try actions arising from civil wrongs committed by private persons in such places. In this case the plaintiff sought to recover damages against the defendant for injuries inflicted on him by a vicious dog, on land purchased by the United States, and over which the legislature of New York had ceded jurisdiction, for the purpose of erecting and maintaining thereon an arsenal, magazine, dock-yards, and other necessary buildings; reserving to the State concurrent jurisdiction with the United States so far as, that civil process in all cases, and such criminal process as might be issued under authority of the State of New York against any person charged with crimes committed without the ceded district, might be executed therein. It was urged by the defendant that the State court had no jurisdiction, in an action for damages for an injury sustained within the territory purchased by the United States, and jurisdiction over which had been ceded by the State under the provisions of article 1, section 8, clause 17, of the national constitution.

"The court (the Supreme Court of New York, appellate division) holds that Congress has the power to provide by statute for the enforcement of civil rights in such ceded territory, and for the recovery of damages for injuries sustained therein, in civil actions; but that the question for it to decide was whether, in the absence of such legislation, the courts of New York are deprived of jurisdiction for an injury to a citizen, such as the plaintiff sustained, committed within the State, in territory over which jurisdiction had thus been ceded to the United States. The place where the plaintiff was injured was acquired by the United States, by purchase, for the purpose of an arsenal, and ever since has been used as such, and the State

of New York ceded exclusive jurisdiction over the territory to the United States. Hence, under the provisions of the national constitution, Congress has power to exercise exclusive legislation therein in all cases whatsoever. (The court evidently regarded the purchase, together with the cession of jurisdiction, in this case, as amounting to a purchase with the consent of the State, under the terms of the Constitution.) But, say the court, although the injury to recover damages for which the plaintiff brought the action was sustained on land over which the national government had exclusive jurisdiction, it had no more exclusive jurisdiction over such territory than the respective legislatures of the neighboring States of Massachusetts, Pennsylvania, or Ohio have over their respective territories, and had the injury occurred within the limits of either of said States an action could have been maintained in the Supreme Court of New York to recover damages therefor. If an action can be maintained in the courts of New York by a citizen thereof, for a personal injury suffered in another State or country, there is no good reason why such an action can not be maintained when the injury was committed in the State of New York, on land, jurisdiction over which had been ceded to the United States. Assuming that the place where the plaintiff was injured, being within the exclusive jurisdiction of the United States, was in fact like a foreign territory, not within any jurisdiction of the State of New York, the plaintiff might maintain an action for a personal injury sustained in such place.

"This decision shows the necessity of distinguishing between criminal and civil actions in the matter of cession of jurisdiction, the one being territorial and the other nonterritorial as to the cause of action, so far as relates to jurisdiction. Cessions of jurisdiction from the State to the United States, in language like that used in the Fort Leavenworth cession, are misleading, the language referred to being as follows: 'Saving, however, to the said State the right to serve civil or criminal process within said Reservation, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said cession and reservation.' This places the civil action on the same footing with the criminal action, for which there appears to be no reason.

"It would seem, indeed, that we have been quite misled as to the necessity of cession of jurisdiction to the United States. The constitutional provision, Article I, Section 8, clause 17, was apparently adopted with the understanding that the United States could not acquire land in a State without the consent of the State. It would seem to have been the opinion of the framers of the constitution, said Justice Field in the Fort Leavenworth Railroad case, that without the consent of the States, the new government would not be able to acquire lands within them; and therefore it was provided that, when it might require such lands for the erection of forts and other buildings for the defense of the country, or the discharge of other duties devolving upon it, and the consent of the State in which they were situated was obtained for their acquisition, such consent should carry with it political dominion and legislative authority over them.

"Whatever we may think of the sufficiency of the reason for placing forts and other buildings for the defense of the country under the exclusive jurisdiction of the United States, when we consider that the instrumentalities of the government of the United States are free

from control by any State authority, there would seem to be no good reason for extending the constitutional provision beyond the apparent meaning of its language. The Fort Leavenworth Railroad case is authority for holding that when jurisdiction is acquired by the United States by cession, and not by purchase with consent, the cession may be accompanied with reservations of jurisdiction, even though the territory be used as a military post or fort. In that case there was a reservation of the right to tax railroad, bridge, and other corporations, their franchises and property.

"Section 355 of the Revised Statutes prescribes that no public money shall be expended upon any site or land purchased by the United States for the purpose of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, light-house, or other building of any kind whatever, until the consent of the State in which the land or site may be to such purchase has been given. Under this section money can not be expended on structures for river and harbor improvement even, until jurisdiction over the site has been obtained by the United States; for it is held that what is here meant is that there must be a cession of jurisdiction. This certainly is carrying the matter to an extreme. What good reason can be given for it? The instrumentalities of the government of the United States can not be interfered with. Why, then, take from the jurisdiction of the States those numerous localities within their limits?"

How long and for what purposes the municipal laws of the State continue in force after cession of jurisdiction to the United States.—It is a general rule of public law, recognized and acted upon by the United States, that whenever political jurisdiction and legislative power over any territory are transferred from one nation or sovereign to another, the municipal laws of the country, that is, laws which are intended for the protection of private rights, continue in force until abrogated or changed by the new government or sovereign. By the cession public property passes from one government to the other, but private property remains as before, and with it those municipal laws which are designed to secure its peaceful use and enjoyment. As a matter of course, all laws, ordinances, and regulations in conflict with the political character, institutions, and constitution of the new government are at once displaced. Thus upon a cession of political jurisdiction and legislative power—and the latter is involved in the former—to the United States, the laws of the country in support of an established religion, or abridging the freedom of the press, or authorizing cruel and unusual punishments, and the like, would at once cease to be of obligatory force without any declaration to that effect; and the laws of the country on other subjects would necessarily be superseded by existing laws of the new government upon the same matters. But with respect to other laws affecting the possession, use and transfer of property, and designed to secure good order and peace in the community, and promote its health and prosperity, which are strictly of a municipal character, the rule is general, that a change of government leaves them in force until, by direct action of the new government, they are altered or repealed. (Chicago and Pacific Railway Company *v.* McGlinn, 114 U. S. Rep., 542. See also The American Insurance Co. *v.* Canter, 1 Pet., 542.)

Effect of qualified cession of jurisdiction by State.—Where a State statute, in consenting to the purchase by the United States of land within the State and ceding to the United States jurisdiction over the same, adding that such jurisdiction should be exercised " concurrently with " the State, *Held*, that this qualification was subject to the objection that it amounted to more than the mere reservation (not unfrequent,) of the right to serve upon the land legal process for crimes committed *outside* of the same, and should therefore be regarded as inconsistent with a grant of exclusive jurisdiction to the United States over such land; (citing United States *v.* Cornell, 2 Mason, 60; United States *v.* Davis, 5 Id., 356; 6 Opins. Attys. Genl., 578; 7 Id., 634; 8 Id., 30, 102, 417; 20 Id., 242, 298, 611), *further* that it so far qualified the consent given to the purchase as to make it at least doubtful whether, in view of the provisions of Section 355, Revised Statutes, the Secretary of War would be authorized to expend an appropriation which had been made by Congress for the erection of public buildings on the land. (Digest of Opins. J. A. Genl., 1901, sec. 674.)

Effect of reserving right to execute process within and upon lands.—But where a State statute, in ceding jurisdiction to the United States over certain lands purchased within the State by the authority of Congress as sites for public structures, added " But the State reserves the right to execute process lawfully issued under its authority within and upon said sites," etc., *advised* that such reservation might properly be regarded as having the same effect as that indicated by Attorney-General Cushing in 8 Opinions, 387, viz., as reserving merely the right to serve process *within* the lands for crimes committed *without* the same (so as to prevent them from becoming an asylum for fugitives from justice), and that the cession might therefore properly be accepted as sufficiently vesting in the United States the exclusive jurisdiction over the premises contemplated by the Constitution. (Ibid., sec. 675.)

Effect of reservation by Congress upon admitting Territory as a State.—When an act admitting a State into the Union, or organizing a Territorial government, provides that the lands in possession of an Indian tribe shall not be a part of such State or Territory, the new government has no jurisdiction over them. (Langford *v.* Monteith, 102 U. S., 145.) For an example of such a reservation on the part of Congress in the admission of a State into the Union, see the act of July 10, 1890, (26 Stat. L., 222), admitting the State of Wyoming.

" Cession of jurisdiction " and a " consent to purchase," effect of each—Consent to purchase coupled with inconsistent condition can not legally be accepted by the United States.—A *cession of jurisdiction* by a State to the United States may be qualified or conditional, and cedes only so much as is specifically expressed. (Citing Fort Leavenworth R. R. Co. *v.* Lowe, 144 U. S., 525.) But a *consent to purchase*, as the term is intended in the constitutional provision (Art. 1, Sec. 8, cl. 17), conveys the whole or an exclusive jurisdiction. So, where a State legislature in giving the consent to a purchase for a constitutional purpose, couples with it a condition or qualification inconsistent with the possession of an exclusive jurisdiction by the United States,—as a condition that the State shall retain the same civil and criminal jurisdiction over persons and their property on the

land that it has over other persons and property in the State—or shall retain the right to tax persons living on the land and their property,—*Held*, that the jurisdiction is not such as is designed by the Constitution and can not legally be accepted by the United States. (Citing Vol. 8, Opins. Attys. Genl., 121.) (Digest Opins. J. A. Genl., 1901, sec. 678.)

Recession of jurisdiction not necessary when military reservation abandoned.—*Held*, that there was no occasion for a statutory provision ceding back, or requiring the ceding back of jurisdiction, by the United States, to the State, when a military reservation was abandoned and turned over to the Interior Department under the Act of July 5, 1884. Such provision has sometimes appeared, as in the Act of Congress of March 3, 1819, ("authorizing the sale of certain military sites"), as also in some of the State Acts ceding jurisdiction, in which the grant is expressly limited to the period during which the premises may be held for public uses by the United States. But such provisions are deemed unnecessary, the jurisdiction ceasing of itself with the use and occupation of the land for the purposes for which it was granted. It is believed to be clearly inferable from the clause on the subject in the Constitution, (Art. 1, Sec. 8, cl. 17), that the State relinquishes its jurisdiction only for such terms as the particular status subsists in contemplation of which it was ceded. (Digest of opins. J. A. Genl., 1901, sec. 692.)

TAXATION.

State can not assume powers conferred upon Congress by the Constitution.—Neither the unlimited powers of a State to tax, nor any of its large police powers, can be exercised to such an extent as to work a practical assumption of the powers properly conferred upon Congress by the Constitution. (Railroad Company *v.* Husen, 95 U. S., 465.)

Taxation.—No State has the power to tax the property of the United States within its limits. (Wisconsin Railroad Company *v.* Price County, 133 U. S., 496.)

Property of the United States exempt from State taxation.—Property of the United States is exempt by the Constitution of the United States from taxation under the authority of a State. (Van Brocklin et al. *v.* State of Tennessee et al., 117 U. S., 151.)

Lands purchased by United States at tax sale exempt while held by the United States.—Lands in a State which, pursuant to acts of Congress for the laying and collecting of direct taxes, is sold, struck off and purchased by the United States for the amount of the tax thereon, and is afterwards sold by the United States for a larger sum, or redeemed by the former owner, is exempt from taxation by the State, while so owned by the United States; and for nonpayment of taxes assessed by the State during that time, can not be sold afterwards. (Ibid.)

Lands of United States can not be taxed without their consent.—Whether the property of the United States shall be taxed under the laws of a State depends upon the will of its owner, the United States,

and no State can tax the property of the United States without their consent. (Ibid.)

Federal property.—Property, the title of which is held by the United States, for whatever purpose, is exempt from State taxation while so held. (People ex rel. McCrea *v.* The United States, etc., 93 Ill., 30.)

Levy by State of tax upon all real estate does not include that of the United States within its limits.—An act of a State legislature laying a tax on all real estate, to wit, on various sorts of real estate specified by the act, and as such shown to be private property, does not include property of any sort of the United States within its territory. (United States *v.* Weise, 28 Fed. Cases, p. 518. See, also, Van Brocklin *v.* Tennessee, 117, U. S., 151.)

Same.—The general words of a statute do not include the government or affect its rights, unless such purpose be clear and indisputable on the face of the act. (The United States *v.* Griswold, 5 Sawyer, 25.)

Effect of reservation by State of right to tax private property in territory wherein jurisdiction is ceded to the United States.—When a State, in ceding to the United States exclusive jurisdiction over a tract of land within its limits, reserves to itself the right to tax private property therein, and the United States do not dissent, the property and franchises of a railroad therein are liable to taxation by the State. (Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S. Rep., 525.)

Persons residing on military reservations exempt from State, county and town tax.—Persons residing upon military reservations are exempt from the payment of State, County and town taxes and therefore are not entitled to the benefits arising therefrom. (Vol. 6, p. 577, Opins. Attys. Genl. See 1 Metcalf, 580.)

Power of taxation by States restrained when incompatible with and repugnant to the constitutional laws of the Union.—That the power of taxation is one of vital importance; that it is retained by the States; that it is not abridged by the grant of a similar power to the government of the Union; that it is to be concurrently exercised by the two governments; are truths which have never been denied. But, such is the paramount character of the Constitution, that its capactiy to withdraw any subject from the action of even this power is admitted. The States are expressly forbidden to lay any duties on imports or exports, except what may be absolutely necessary for executing their inspection laws. If the obligation of this prohibition must be conceded—if it may restrain a State from the exercise of its taxing power on imports and exports, the same paramount character would seem to restrain, as it certainly may restrain, a State from such other exercise of this power, as is in its nature incompatible with, and repugnant to, the Constitutional laws of the Union. A law absolutely repugnant to another, as entirely repeals that other as if express terms of repeal were used. (McCulloch *v.* Maryland, 4 Wheat., 316, 425.)

State controlled by the Constitution of the United States in article of taxation.—The sovereignty of the State, in the article of taxation

itself, is subordinate to, and may be controlled by, the Constitution of the United States. How far it has been controlled by that instrument, must be a question of construction. In making this construction, no principle not declared, can be admissible which would defeat the legitimate operations of a supreme government. It is of the very essence of supremacy to remove all obstacles to its action within its own sphere, and so to modify every power vested in subordinate governments, as to exempt its own operations from their own influence. This effect need not be stated in terms. It is involved in the declaration of supremacy, so necessarily implied in it, that the expression of it could not make it more certain. (Ibid.)

States can not tax the instrumentalities of the General Government.—If the States may tax one instrument employed by the government in the execution of its powers, they may tax any and every other instrument. They may tax the mail; they may tax the mint; they may tax patent rights; they may tax the papers of the custom-house; they may tax judicial processes; they may tax all the means employed by the government, to an excess which would defeat all the ends of government. This was not intended by the American people. They did not design to make this government dependent on the States. (Ibid.)

A question of supremacy.—If the controlling power of the States be established; if their supremacy as to taxation be acknowledged; what is to restrain their exercising this control in any shape they may please to give it? Their sovereignty is not confined to taxation. That is not the only mode in which it might be displayed. The question is, in truth, a question of supremacy; and if the right of the States to tax the means employed by the general government be conceded, the declaration that the Constitution and the laws made in pursuance thereof, shall be the supreme law of the land is empty and unmeaning. (Ibid.)

General power of taxation conferred upon the General Government—Power exercised by the people of the States and by the States in Congress.—The people of all the States have created the general government, and have conferred upon it the general power of taxation. The people of all the States, and the States themselves, are represented in Congress, and, by their representatives, exercise this power. When they tax the chartered institutions of the States they tax their constituents; and these taxes must be uniform. But, when a State taxes the operations of the government of the United States, it acts upon institutions created, not by their own constituents, but by people over whom they claim no control. It acts upon the measures of a government created by others as well as themselves, for the benefit of others in common with themselves. The difference is that which always exists, and always must exist, between the action of the whole on a part and the action of a part on the whole—between the laws of a government declared to be supreme, and those of a government which, when in opposition to those laws, is not supreme. (Ibid. See also Osborn et al. *v.* The United States Bank, 9 Wheat., 738; Providence Bank *v.* Billings, 4 Pet., 514, and Weston *v.* The City Council of Charleston, 2 Pet., 449.)

Power of State does not extend to means employed by Congress to carry into execution powers conferred upon it.—All subjects over

which the sovereign power of a State extends are objects of taxation; but those over which it does not extend are, upon the soundest principles, exempt from taxation. The sovereignty of a State extends to everything which exists by its own authority, or is introduced by its permission, but not to those means which are employed by Congress to carry into execution powers conferred on that body by the people of the United States. The attempt to use the power of taxation on the means employed by the government of the Union in pursuance of the Constitution, is itself an abuse, because it is the usurpation of a power which the people of a single State can not give. (Weston *v.* The City Council of Charleston, 2 Pet., 449; citing McCulloch *v.* Maryland, 4 Wheat., 316.)

Same.—The State has no power, by taxation, or otherwise, to retard, impede, burden, or in any manner control the operation of the constitutional laws enacted by Congress, to carry into execution the powers vested in the general government. (Ibid.)

Exemption of agencies of Federal Government depends upon effect of tax—A tax upon their operations can not be upheld.—The exemption of agencies of the Federal Government from taxation by the States is dependent, not upon the nature of the agents nor upon the mode of their constitution, nor upon the fact that they are agents, but upon the effect of the tax; that is, upon the question whether the tax does in truth deprive them of power to serve the government as they were inclined to serve it, or hinder the efficient exercise of their power. A tax upon their *property* merely, having no such necessary effect, and leaving them free to discharge the duties they have undertaken to perform, may be rightfully laid by the State. A tax upon their *operations*, being a direct obstruction to the exercise of Federal powers, may not be. (Railroad Company *v.* Peniston, 18 Wall., 5.)

When State taxation upheld.—All State taxation which does not impair the agent's efficiency in the discharge of his duties to the government has been sustained when challenged, and a tax upon his property generally has not been regarded as beyond the power of a State to impose. (Ibid.)

An incident of sovereignty—Right of legislation co-extensive with jurisdiction of State—Limitations upon that right.—Taxation is a sacred right, essential to the existence of government; an incident of sovereignty. The right of legislation is co-extensive with the incident, to attach it upon all persons and property within the jurisdiction of a State. But in our system there are limitations upon that right. There is a concurrent right of legislation in the states and the United States, except as both are restrained by the Constitution of the United States. Both are restrained by express prohibitions in the Constitution, and the states, by such as are reciprocally implied, when the exercise of the right by a state conflicts with the perfect execution of another sovereign power delegated to the United States. That occurs when taxation by a state acts upon the instruments, and emoluments, and persons which the United States may use and employ as necessary and proper means to execute their sovereign power. The government of the United States is supreme within its sphere of action. The means necessary and proper to carry into effect the powers in the Constitution are in Congress. (Dobbins *v.* Commissioners of Erie County, 16 Pet., 435.)

Law of State imposing a tax upon an office, held under the United States invalid.—The compensation of an officer of the United States is fixed by a law made by Congress. It is in its exclusive discretion to declare what shall be given. It exercises the discretion and fixes the amount; and confers upon the officer the right to receive it when it has been earned. Any law of a state imposing a tax upon the office, diminishing the recompense, is in conflict with the law of the United States which secures the allowance to the officer. (Ibid.)

Limitation upon power of State to tax—State tax laws can not restrain action of national government.—All subjects over which the sovereign power of a state extends are, as a general rule, proper objects of taxation, but the power of a state to tax does not extend to those means which are employed by Congress to carry into execution the powers conferred in the federal Constitution. (Citing McCulloch *v.* Maryland, 4 Wheat., 429). Unquestionably the taxing power of the states is very comprehensive and pervading, but it is not without limits. State tax laws can not restrain the action of the national government, nor can they abridge the operation of any law which Congress may constitutionally pass. They may extend to every object of value within the sovereignty of the state, but they can not reach the administration of justice in the Federal Courts, nor the collection of the public revenue, nor interfere with any constitutional regulations of commerce. (Society for Savings *v.* Coite, 6 Wall., 594, 605; citing Brown *v.* Maryland, 12 Wheat., 448; Weston et al. *v.* Charleston, 2 Pet., 467.)

Officer or soldier, though not taxable officially, may be personally.—An officer or soldier of the army, though not taxable officially, may be and often is taxable personally. He is not taxable by a state for his pay, or for the arms, instruments, uniform clothing, or other property pertaining to his military office or capacity, but as to household furniture and other personal property, not military, he is (except where stationed at a place under the exclusive jurisdiction of the United States), equally subject with other residents or inhabitants to taxation under the local law. (Dig. Opins., J. A. Genl., 1901, sec. 2428.)

When post trader on military reservation liable to be taxed by civil authorities of Territory or State.—The mere fact that a post trader carries on business on a *military reservation* in a *Territory* can not, (in the absence of any provision in the organic act relieving him therefrom), affect his liability to be taxed by the civil authorities; nor can such liability be affected by the fact that he carries on business on a military reservation within a *State*, unless exclusive jurisdiction over the same has been ceded to or reserved by the United States. (Ibid., sec. 2027.)

Post traders may be required to take out and pay for a license under State or Territorial law—The legality of tax a question for the local courts.—It was held by Attorney-General Cushing in 1855 (7 Opins. Attys. Genl., 578), that a sutler employed at a military post could not legally be required by the authorities of a State to take out a license to enable him to make sales to officers or soldiers of the army, or to pay a tax on the articles kept by him at the post for making such sales; and this on the ground that " the supply of goods

to the officers and soldiers of a post by the post sutler is one of the means authorized by Congress in the exercise of the war power intrusted to it by the Constitution." (Ibid., sec. 2026.)

Legal residence.—The fact that an officer is stationed within a particular State or Territory does not make the same his legal residence, since he is there, not by his own will or choice, but in obedience to the order of a superior, and moreover can have no *animus manendi* subject as he is to be removed at any moment by a similar order to a station in a different State or Territory. (Citing Graham *v.* Commonwealth, 51 Pa. St., 258; Wood *v.* Fitzgerald, 3 Oreg., 568; Taylor *v.* Reading, 4 Brewst., 439, and Devlin *v.* Anderson, 38 Cal., 92.) Exceptions, however, to this general rule may exist in the cases of officers who are not subject, or likely, to have their places of habitancy changed by superior military authority. Such are the cases of the officers—the chiefs of the staff corps for instance—whose duties require them to remain, or at least have their offices, permanently in Washington; and such are also the cases of the majority of the officers on the retired list. In any such exceptional case, the question of residence, where it is at all doubtful, will, in the main, as in the cases of civilians, be determined by the evidence of an *animus manendi*, as exhibited by the acts and declarations of the party. (Ibid., sec. 2177.)

Same.—If a legal residence in a certain State has once existed, mere temporary absence, however long-continued, as the result of an enlistment or enlistments in the army, will not destroy it. (Citing Brewer *v.* Linnaeus, 36 Me., 428.) Liability to taxation, or other liability as a *resident* of a certain locality, is not ordinarily affected by the enlisting or holding of a commission in the army and the being stationed at a place other than such locality; the party being at such place not by his own volition, and the *animus revertendi* to the original domicile being presumed to still subsist. (Ibid., sec. 2179, citing Jacobs, Law of Domicile, 401.)

Military reservations—Not liable to be assessed for public improvements.—In ceding to the United States exclusive jurisdiction over a military reservation, the act of the legislature of the State need not specifically relinquish the right to tax, as the State independently of any act of cession has no right to tax the means or instrumentalities whereby the government of the United States performs its functions. And this includes and applies to a municipality within the State as being a part of the State and created by it. So *held*, that a tax levied by the city of Buffalo, N. Y., on the lands of the Fort Porter military reservation, for non-payment of assessments, or otherwise, was wholly illegal and void. Similarly *held*, that the city authorities of Highland Park, Illinois, were not empowered to levy on the Fort Sheridan reservation for the improvement of adjacent lands or for other public improvements. (Ibid., sec. 2435.)

Same.—When the absolute title to property remains in the United States, no matter for what purpose it is acquired or held, it is not subject to State or Municipal taxation. (Am. and Engl. Ency. of Law, Vol. 25, p. 110, and cases cited.)

Execution of State laws.—With respect to land owned by the United States within the limits of a State, over which the State has

not parted with its jurisdiction, the United States stands in the relation of a proprietor simply; and the State officers have the same right to enter upon such land, or into the buildings located there, and seize the personal property of individuals for non-payment of taxes thereon, as they have to enter upon the land or into the buildings of any other proprietor for the same purpose; such right being so exercised as not to interfere with the operations of the General Government. (Vol. 14, pp. 199, 200, Opins. Attys. Genl.)

TITLE.

Authority to purchase lands.—No land shall be purchased on account of the United States, except under a law authorizing such purchase. (Sec. 3736, U. S. Rev. Stats.)

The United States may acquire title to land when taken as security for debt.—The seventh section of the act of May 1, 1820 (3 Stat., 568), does not prevent the acquisition of the legal title to land by the United States, when taken as security for a debt by the proper officer, though not specially required or authorized by any particular act of Congress. (Neilson *v.* Lagow, 12 Howard, 98.)

The United States may receive real property as a security for debt and eventually acquire title thereto.—The United States, in their political capacity, may enter into contracts, may take a bond, and may receive real or other property as security for a debt, in cases not previously provided for by law. This power exists as an incident to the general right of sovereignty; and the government being a body politic, may, within the sphere of the constitutional powers confided to it, and through the instrumentality of the proper department to which those powers are confided, enter into contracts not prohibited by law, and appropriate to the just exercise of those powers. It does not require legislation to empower the proper department to act in making the contract or receiving the security; the power exists as an incident to sovereignty, and may be exercised by the proper department if not forbidden by legislation. (Dikes *v.* Miller, 25 Texas Supp., 281. See Dugan *v.* The United States, 3 Wheat., 172; The United States *v.* Tingey, 5 Peters, 114; The United States *v.* Bradley, 10 Peters, 343; The United States *v.* Levin, 15 Peters, 290; Nelson *v.* Lagow, 12 Howard, 107, and The United States *v.* Lane, 3 McLean, 366.)

Reservation for public purposes.—Decision as to the quantity of land to be reserved for public use, and the places where to be located, rests in the discretion of the President, subject to such regulations as may from time to time be provided by law, either as to the particular use, the quantity, or the subsequent disposal thereof for private use. (Vol. 6, p. 156, Opins. Attys. Gen.) "The subsequent disposal thereof for private use" has been modified by acts of Congress, particularly the act approved July 5, 1884, which reads as follows:

"That whenever, in the opinion of the President of the United States, the lands, or any portion of them, included within the limits of any military reservation heretofore or hereafter declared, have become or shall become useless for military purposes, he shall cause the same or so much thereof as he may designate, to be placed under the control of the Secretary of the Interior for disposition as herein-

after provided, and shall cause to be filed with the Secretary of the Interior a notice thereof." (Act of July 5, 1884; 23 Stats., p. 103.)

Lands acquired by United States for public purposes are not public lands.—Lands acquired by the United States for public uses, by purchase with the consent of the States, or by an exercise of the right of eminent domain, are not public lands, that term applying only to "such lands as are subject to sale or other disposition under general laws." (Newhall *v.* Sanger, 92 U. S., 761; Vol. 5, p. 578, Opins. Attys. Genl.) The power over the public lands is vested in Congress by the Constitution, without limitation, and is the foundation upon which the territorial government rests. (U. S. *v.* Gratiot, 14 Pet., 526.)

Title to lands purchased—When money can be expended—Duties of officers.—No public moneys shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, light-house, or other public building of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary and which may not be in the possesion of the Officers of the government, and the expenses of procuring it shall be paid out of the appropriations made for the contingencies of the Departments respectively. (Sec. 355, U. S. Rev. Stats.)

Examination of land titles.—Upon this subject the Hon. Caleb Cushing spoke as follows: "Morally speaking, professionally speaking, officially speaking, when the Attorney-General certifies the validity of a title he *warrants* it to the Government. He does not warrant in law, as he does a piece of his own land which he sells; but he warrants in honor and conscience. It is upon the sole faith of his warranty, regardless of the warrantors in the deed, that the government buys the land, and proceeds to expend, it may be, millions of the public treasure, in the construction of edifices for the permanent use of the United States." (Vol. 8, p. 407 Opins. Attys. Genl.)

Title to land may be acquired by the United States prior to consent of State to the purchase.—Section 355, Revised Statutes, in prohibiting the expenditure of public money, for the purposes therein mentioned, before the consent of the State to the purchase of the land is obtained, does not preclude the mere purchase itself. The land, therefore, may legally be paid for, and the title thereto acquired, in the absence of such consent. (Citing Vol. 10, p. 39, Opins. Attys. Genl.; 15 id., 213.) Neither the constitutional provision (Art. 1, Sec. 8, cl. 17) nor the statute (Sec. 355, R. S.) precludes the United States from acquiring the title to the land. (Dig. Opin. J. A. Genl., 1901, sec. 683.)

Direct tax sale—Evidence of title—Certificate.—A certificate signed by only two of the direct-tax commissioners appointed under the act of Congress of June 7, 1862, that land charged with the tax had been sold to the United States is admissible in evidence in an action brought to try the title to land. It is error to rule such a certificate void. The act of Congress contemplates a certificate of sale though the United States becomes the purchaser. (Cooley *v.* O'Conner, 12 Wall., 391.)

Effect of certificate as evidence— How affected.—Where lands have been sold for an unpaid direct tax, the tax-sale certificate is, under the act of February 6, 1863, (12 Stat., 640), *prima facie* evidence not only of a regular sale, but of all the antecedent facts which are essential to its validity and to that of the purchaser's title. It can only be affected by establishing that the lands were not subject to the tax, or that it had been paid previously to the sale, or that they have been redeemed according to the provisions of the act. The ruling in Cooley *v.* O'Conner (12 Wall., 391), that the act of Congress contemplates such a certificate where the United States is the purchaser reaffirmed. (De Treville *v.* Smalls, 98 U. S., 517.)

Certificate given by commissioner prima facie evidence of regularity of sale, etc.—The court reaffirms the doctrine in De Treville *v.* Smalls (98 U. S., 517), that the certificate given the commissioners to the purchase of lands at a sale for a direct tax, under the act of June 7, 1862, (12 Stat., 422), as amended by the act of February 6, 1863, (id., 640), is *prima facie* evidence of the regularity of the sale and of all the antecedent facts essential to its validity and to that of his title thereunder, and that it can only be affected by establishing that the lands were not subject to the tax, or that it had been paid previously to the sale, or that they had been redeemed. (Keeley *v.* Sanders, 99 U. S., 441; the rulings in above case and in De Treville *v.* Smalls reaffirmed in Sherry *v.* McKinley, 99 U. S., 496).

Sale of land for taxes the highest exercise of sovereign power— When not valid.—No sale of land for taxes, no taxes can be assessed on any property, but by virtue of the sovereign authority in whose jurisdiction it is done. If not assessed by direct act of the legislature itself, it must, to be valid, be done under authority of a law enacted by such legislature. A valid sale, therefore, for taxes, being the highest exercise of sovereign power of the States, must carry the title to the property sold, and if it does not do this, it is because the assessment is void. (Northern Pacific Railroad Company *v.* Traill County, 115 U. S., 600.)

Devise of lands to United States void in New York.—The several States of the Union possess the power to regulate the tenure of real property within their respective limits, the modes of its acquisition and transfer, the rules of its descent, and the extent to which a testamentary disposition of it may be exercised by its owners. By a Statute of New York a devise of lands in that State can only be made to natural persons and to such corporations as are created under the laws of the State and are authorized to take by devise. A devise, therefore, of lands in that State to the government of the United States is void. (United States *v.* Fox, 98 U. S. Rep., 315.)

The right of the State of New York under the reservation in the grant of lands to the United States limited by the purposes of the grant.—Where certain land (now constituting part of the Fort Porter Military reservation at Buffalo, N. Y.) was granted to the United States under an act of the legislature of New York, dated February 28, 1842, "for military purposes, reserving a free and uninterrupted use and control in the canal commissioners of all that may be necessary for canal and harbor purposes." *Held*, That the right of the State, under the reservation in the grant is limited by the purposes of the grant, and that the State is not entitled to use the land for any purpose, if thereby the use for the military purposes of the United States will be interfered with; yet that the State has a right to use so much of the land as may be necessary for canal and harbor purposes, when such use does not interfere with its use for the military purposes of the government. Accordingly, *held*, that the Secretary of War may permit the State of New York to use so much of the premises for canal purposes as will not interfere with the use thereof for military purposes. (In short, the reservation in the grant can be deemed valid only so far as it is not repugnant to the grant.) (Vol. 16, p. 592, Opins. Attys. Genl.)

Based upon compromise of question of title valid.—The deed of conveyance executed to the United States on the 25th day of October, 1854, by the City of Carondelet, of a part of the Commons of Carondelet upon which Jefferson Barracks are situated, having been based upon an equitable compromise of a long-pending and doubtful question of title, is valid. (City of St. Louis *v.* The United States, 92 U. S., 462.)

Lands can not be purchased nor accepted as a gift for, or donation to, the United States in the absence of statutory authority—The word "purchase" construed.—In the absence of statutory authority, land can not be purchased *for* the United States with any more legality than land of the United States can be sold or disposed of. By a provision of the Act of May 1, 1820, now contained in Section 3736, Revised Statutes, it is declared that "No land shall be purchased on account of the United States except under a law authorizing such purchase." *Held* that the term "purchase" was to be understood in its *legal* sense, as embracing any mode of acquiring property other than by descent (citing Vol. 7, pp. 114, 121, Opins. Attys. Genl. and Ex parte Hebard, 4 Dillon, 344); and that therefore the Secretary of War would not be empowered to accept a *gift* of land or interest in land, for any use or purpose independently of statutory authority. (Concurred in by an opinion of the Attorney-General in Vol. 16, p. 414, Opins. Attys. Genl.) And similarly *held* as to the construction of the same word ("purchase"), as employed in Section 355, Revised Statutes, and *advised* that an appropriation of public money could not legally be expended for the erection of a public building upon land *donated* to the United States, until the Attorney-General had approved the title, and the legislature of the State in which the land was situated had given its consent to the grant. (Digest Opins. J. A. Genl., 1901, sec. 2105, citing Vol. 10, p. 35, and Vol. 15, p. 212, Opins. Attys. Genl. to the effect that under the implied authority contained in Sec. 1838, Rev. Stats., lands required as sites for forts, arsenals, etc., or needful public buildings, may be *purchased*

(or acquired by gift) without the consent of the State, though in the absence of such consent, public money can not, in view of the provisions of Sec. 355, legally be *expended upon the buildings*.)

Title to soil under tide water.—It is a well-settled rule of law in this court that absolute property in, and dominion and sovereignty over, the soils under the tide waters in the original States were reserved to the several States, and that the new States since admitted have the same rights, sovereignty, and jurisdiction in that behalf as the original States possess within their respective borders. Upon the acquisition of the territory from Mexico the United States acquired the title to tide lands equally with the title to upland; but with respect to the former they hold it only in trust for the future States that might be erected out of such territory. (Knight *v.* United States Land Association, 142 U. S. Rep., 182., citing Martin *v.* Waddell, 16 Pet., 367, 410; Pollard *v.* Hogan, 3 How., 212, 229; Goodtitle *v.* Kibbe, 9 How., 471, 478; Mumford *v.* Wardwell, 6 Wall., 423, 436; and Weber *v.* Harbor Commissioners, 18 Wall., 57, 65.)

The United States hold public lands by virtue of deeds of cession and statutes, not by sovereignty. (Pollard's Lessee *v.* Hogan, 3 How., 212.)

Title to shores of navigable waters and the soil under them.—The shores of navigable waters and the soil under them were not granted by the Constitution to the United States, but reserved to the States respectively. And the new States have the same rights as the original States. (Ibid.)

Reservation.—The President may reserve from sale and set apart for public use parcels of land belonging to the United States, and may modify a reservation previously made. (Grisar *v.* McDowell, 6 Wall., p. 364.)

Validity of Executive order rests on established and recognized power in the President—Power recognized by Congress.—The validity of the Executive Order rests, not on the Statute, but on a long-established and long-recognized power in the President to withhold from sale or settlement, as he may deem proper. Congress recognized this power in the Oregon legislation which, while not granting, simply sought to restrict that already existing. When Congress creates an exception from a power, it necessarily affirms the existence of such power, and hence the well-known axiom that the exception proves the rule. Congress has recognized this power in the President by various acts, notably May 29, 1830 (4 Stat., 421), and September 4, 1841 (5 Stat., 456). The Supreme Court has adjudged the existence of the power in the President. (Wolcott *v.* Des Moines Company, 5 Wall., 681; Grisar *v.* McDowell, 6 Wall., 363; Wolsey *v.* Chapman, 101 U. S., 755; Williams *v.* Baker, 17 Wall., 144; Wilcox *v.* Jackson, 13 Pet., 498).

State can not regulate transfer of lands of United States—State's right of eminent domain does not extend over property of United States.—No State can, by her laws, regulate the mode by which the land of the United States shall pass into private right and individual property in opposition to the laws of the United States. The State of Illinois has undoubted right to dispose of its own property

as it shall seem expedient; and it has the right of eminent domain,—that is, to take private property to public use, making just compensation to owner. But this right of eminent domain does not extend to the taking of the public property of the Government of the United States. Therefore, The Chicago and Rock Island Railroad Company and Railroad Bridge Company can not lawfully enter upon and use, for the purpose of a road, or for any other object, the military reservation of Rock Island, under pretense of authority from the State of Illinois. (Vol. 6, p. 670, Opins. Attys. Genl.)

Reservation of land—When made at request of the Secretary of War equivalent to order of President.—A reservation of lands, made at the request of the Secretary of War, for purposes in his department, must be considered as made by the President of the United States within the terms of the act of Congress. (Wilcox *v.* Jackson, 13 Peters, 498.)

Land once legally appropriated, no longer part of the public lands.—Whensoever a tract of land shall have once been legally appropriated to any purpose, from that moment the land thus appropriated becomes severed from the mass of public lands; and no subsequent law, or proclamation, or sale, would be construed to embrace it, or to operate upon it; although no other reservation were made of it. (Ibid.)

Question as to when title passes from United States settled by laws of United States.—Whenever the question in any court, State or Federal, is whether the title to property which had belonged to the United States has passed, that question must be resolved by the laws of the United States. But whenever the property has passed, according to those laws, then the property, like all other in the State, is subject to State legislation; so far as that legislation is consistent with the admission that the title passed and vested according to the laws of the United States. (Ibid.)

Reservation in Montana not limited to 640 acres—Limitation in act of February 14, 1853, applies to Oregon only—Power of President.—By Executive Order of August 5, 1888, 50 acres of land were added to the Fort Missoula military reservation, which was originally established with an area of 640 acres by Executive Order of February 19, 1877. The land covered by these orders was formerly within the Territory of Oregon; but under the act of March 2, 1853, chapter 90, establishing the Territory of Washington, it fell within the latter Territory; and when the Territory of Montana was created, by the act of May 26, 1864, chapter 95, it became a part of that Territory, and so remained at the time said orders were issued. By the act of February 14, 1853, chapter 69, it was provided that all reservations theretofore as well as thereafter made under the act of September 27, 1850, chapter 76 (which applies to Oregon only), should as to forts be limited to not exceeding 640 acres at any one place; and the aforesaid act of May 26, 1864, declared that all laws of the United States not locally inapplicable shall have the same force and effect within the Territory of Montana as elsewhere within the United States: *Held*, that the act of 1864 was intended to give effect in Montana only to such *general* laws of the United States as were not inapplicable to that Territory and not to legislation of a special or local character;

that the limitation of 640 acres was not made operative thereby in Montana; that the President was fully empowered to make the order of August 5, 1888; and that while such order remained unrevoked the land covered thereby is not open to entry or settlement. (Vol. 19, p. 370, Opins. Attys. Genl.)

Regulations respecting evidences of titles.—The following regulations have been prepared for the convenience of those who may have occasion to draw conveyances, make abstracts, or collect evidence of title to lands in cases where it may be the duty of this office to certify concerning the validity of title. A strict observance of them will greatly facilitate the examination, as well as tend to correct conclusions:

1. The deed from the vendor to the United States and their assigns must be acknowledged according to the laws of the State, District, or Territory where the land lies.

2. A plot or draft of the land should be furnished, showing the boundary lines, their courses and distances, and the adjoining owners, streets, rivers, or other waters.

3. Where the property proposed to be sold consists of more than one piece, the titles to which are derived through different persons, the dividing lines must be traced on the draft, and the separate pieces distinctly marked.

4. It is necessary to have an accurate and full abstract of the title, showing its transmission from the original source to the vendor, with each transfer noted in the proper order of time, the name of each grantor and grantee written at length, with dates showing when the several conveyances were executed, acknowledged, and recorded. This abstract must note every fact on which the validity of the title depends, whether it be proved by matter of record, by deed, or *en pais*.

5. The abstract must be verified, by being accompanied either with the original documents it refers to, or else with copies legally authenticated.

6. The title papers must all be marked with numbers corresponding to the numbers under which they are arranged in the abstract.

7. When an estate in the land has passed by devise, the will and the probate must be shown, and if the devisee is not named, proof of his identity will be required.

8. Where it has descended from an intestate ancestor to his heirs, satisfactory proof of the condition and number of the decedent's family must be given.

9. If the estate has passed by a judicial sale, or by a sale under the order of any court, or if it has been divided by proceedings in partition, the regularity of the sale or partition must be shown by a copy of the record.

10. The foreclosure of a mortgage can be shown only by an authentic copy of the proceedings had for that purpose.

11. When the wife of a grantor has not joined in a deed, some evidence must be given that he was unmarried at the time, or that his wife is since dead.

12. If the grantor be a woman, it must be shown that she was unmarried at the date of the deed from her.

13. When a deed is executed by the heirs of a person within twenty-one years after his death, evidence will be required to show that they were of full age at the time of the grant.

14. When the title has passed through a corporate body, the charter must be produced and the authority of the officer who granted away the estate must be shown.

15. When the estate has been conditional, it will be necessary to furnish clear proof that the conditions have been fulfilled or lawfully excused.

16. When the title depends on statute law, other than the public laws of the United States; upon a local law, differing from the general rule of the common law; upon a public document, or upon history, the books relied on to establish it should be accurately referred to and the page noted.

17. Presumptions arising from lapse of time will be allowed the weight given to them by the judicial tribunals of the State where the land lies. An apparent defect in an old deed need not be explained, if the possession of the property has been according to such deed for thirty years or upward.

18. A title offered to the United States will not be regarded as invalid on account of an outstanding title which has been barred by a legal limitation. But in all cases where time is relied on to extinguish an outstanding title, the party must show by clear proof, not only an adverse possession for the full period, but also that there are no persons who have rights that may be saved by exceptions to the statute.

19. Before sending the papers to this office for examination, they should be submitted to the attorney of the United States for the district in which the land lies. It will be his duty to certify an opinion on the whole title and to state particularly whether the local laws are correctly given, the papers properly authenticated, and the facts established by satisfactory prof. (Opins. Attys. Genl., Vol. 9, p. 528.)

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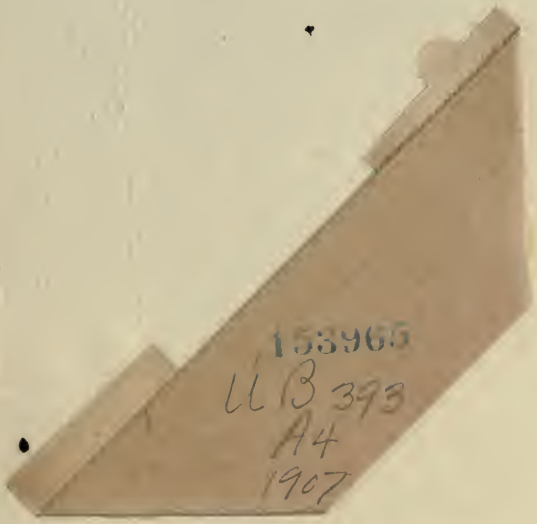
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